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FORGOTTEN PIONEERS

FORGOTTEN PIONEERS

IRISH LEADERS IN EARLY CALIFORNIA

By

THOMAS F. PRENDERGAST

SAN FRANCISCO
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To the Honorable Richard M. Tobin, *former United States Minister to The Netherlands, patron of the fine arts, distinguished diplomat, son of an admired pioneer of San Francisco, in recognition of his devotion to high cultural ideals, this book is respectfully inscribed.*

Preface

THE title, "Forgotten Pioneers," embodies only half a truth in its application to the subject—those early settlers in the wilderness of California, men of Irish birth or ancestry who contributed lavishly toward laying the foundations of a new commonwealth on the Pacific.

Anyone caring to make comparisons may find that group so slighted by historians and other contributors to Californiana as to justify the conclusion these pioneers were ignored, rather than forgotten. Little more than the mention of a name and an occasional note, as in Bancroft's Pioneer Register and Index, were given most of them, while other pioneers, whose record fails to disclose a legacy of anything of permanent value to the young State, received undue prominence.

While not indicating any class for discrimination, Zoeth Skinner Eldredge (The Beginnings of San Francisco) supports this opinion:

"The romance of California history has been somewhat overdone by writers, who, in their pursuit of striking and romantic incident, have failed to understand and appreciate the true significance of events, and have, in consequence, spread before the people a vast amount of misinformation and have raised to the rank of heroes men of very ordinary attainments, or those whose service to the state was of doubtful honor, while overlooking men whose character and achievement entitle them to the highest place in the respect and esteem of the people."

It is the purpose of this book to reinstate in the rank where they belong, some, at least, of these overlooked men "whose character and achievement entitle them to the highest place in the respect and esteem of the people."

In this regard may be noted an interesting coincidence: The initial movement in taking possession and settling of California by Spain was prompted by Irish-Spaniards and directed by a native of

Dublin, the Count Alejandro O'Reilly, Generalissimo of the Spanish armies, culminating in the coming of Padre Serra and Portolá to California in 1769. Due largely to the aid and direction of Thomas Fitzpatrick, a veteran trapper and guide, the overland trail to California was opened and the Carson or Tahoe pass was discovered. And when this overland route was menaced during the civil war by possible action of the Southern army and by Indian insurrection, the road was kept open and contact with the East maintained by Major General Patrick E. Connor. So, at first, California was saved to Spain and indirectly to the United States; next the "trail" was made for the argonauts who swarmed over the country to California, and again, the Pacific frontier was kept in constant contact with the rest of the United States—all through the efforts of three Irishmen.

Three distinct periods in the history of California have been indebted to the wandering Gaels. Several Irishmen who arrived in California before 1848 became prominent as rancheros, gladly adapting themselves to the Spanish customs and ideals. There were others, one of them the first foreign physician with duly accredited diplomas to practice his profession; also a civil engineer, eminent in his work, and alcaldes and other officials of the Mexican government.

Gold brought with it in 1848 a malediction upon the serenity of the calm Pacific frontier; and yet, the Irish pioneers of that time pursued their respective vocations unperturbed by criminal elements in centers of population.

Social lines in San Francisco were strictly drawn. Parvenu and politician jostled one another. Already there was a new Four-Hundred—living aloof. Grandees of the haciendas were fading from the scene, while sterling figures, settling on princely estates, and incidentally enriching the commonweal, played no conspicuous part in the history of the time. Among the latter class were Irish rancheros—men apart, in peace with the world—the Forgotten Pioneers.

There were, of course, others of their countrymen, who attained prominence in respective fields of endeavor, without, however, gaining recognition of historical writers. Of one of them, a Dublin civil engineer, who laid out the map of San Francisco, Bancroft (History of California) notes, it is remarkable that of a man of such prominence in the community there should be so little recorded information. And yet, the writer has extracted sufficient factual data on this pioneer for an extended biography.

This is but one case in point to sustain observations on the historical obscurity of some California pioneers, reconstructed in the following chapters. Among the extranjeros (foreigners) of the Spanish and Mexican periods, and also among the pioneers of later years were men of Gaelic origin, who ranked among the best of their fellows. To rescue them from oblivion has been no easy task. Years of patient research covering press reports, city directories, land title records, as well as county records, supplementing studies in California history, have yielded a fairly satisfactory picture of the Gael in early California. For the larger part, these Irish pioneers were men of rugged mold (as, indeed, were their compatriots) enduring privations and suffering as they toiled and strove to win fortune, or, at least, success in an abundant life.

Not all of them, however, are forgotten; for some of them by the very power of their mental gifts, or, perhaps, by circumstances, have been the subject of compensating historical notice.

To a certain extent the subject matter of several following chapters was treated in somewhat sketchy form in the San Francisco Leader. Further studies and research have eventuated in sharp revision, while new chapters have been added and an attempt has been made to present living figures in a historical setting. To accomplish this desired end successive phases of California history and changing conditions have been drawn in brief outline, commencing with the primary development of early Alta California, and then through melting periods of Spanish, Mexican and American régimes with the hope of having these forgotten pioneers presented to the reader as they passed in review in relation to their respective eras.

It may be significant that while those Irish pioneers, with few exceptions, sought fortune in the golden sands of the Sierra foothills, still they quickly withdrew from the uncongenial society of the placers. Since their part in that phase of the wild scramble for gold is negligible, and marked by a manifest will to live their own lives in peace, it is best dismissed with this understatement.

The formal mode of interposing references and footnotes has been avoided as a detriment to continuity of the text. The writer, however, can affirm that every material fact stated by him is based on sound authority as cited and guarded from the infirmity of hearsay.

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* * *

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FORGOTTEN PIONEERS

Chapter I

Esos Irlandeses*

READING the story of Spanish Alta California's heroic period, one is confronted with salient facts which seem to have escaped most of the writers of California history—namely, failure to recognize the significance of men of the Irish race participating in the momentous project of taking possession of California and saving it to Spain against foreign aggression.

Who were those men of Gaelic and Norman-Irish birthright? What place was theirs among the intrepid leaders in expansion of a new empire on the Pacific? Adventurers, certainly they were not. Eminent figures in Spain, they were chosen in what then appeared as a national crisis for a task appealing to their patriotism and prowess. Finally, why should men of their race have been actors in a purely Spanish drama?

In the warp and woof of that chapter of California's history are woven Gaelic and Norman-Irish names, lustrous against a background of Spain's governmental executives and military leaders. Save for these Spaniards, themselves, the only men appearing in the record of achievement of extending the frontiers of new Spain into the wilderness of Las Californias were Irish-Spaniards.

The Irish in this fascinating narrative in reality were Spanish if the hyphen must be used in identifying their nationality. Indeed, only long afterward was the term, extranjero (foreigner) commonly heard in California. For answer to the questions asked there is a tale well worth telling—a tale, which, in coördinated, or collective form, has not yet been told.

This group of men of Irish origin, so intimately identified with the destiny of Spanish Alta California, includes the Conde (Count) de Lacy, one-time Spanish ambassador to Russia and President of the Council of War. De Lacy came of a distinguished Norman-Irish family of aristocratic stature, long prominent in stirring events in Irish history. There was another Conde—Alejandro O'Reilly,* Generalissimo of the Spanish armies and Ministro of the Spanish colonies, who appears as advisor to Viceroy Bucareli in the concerted movement of planting the Spanish standard in Alta California and taking possession of the land for the king. Next in rank and importance among the Irish-Spaniards, who figured in the same adventure, was Lieutenant-General Hugo Oconor, a militarist of prominence in Spain, who as comandante-inspector on the frontiers of New Spain directed and organized military activities in establishing the overland route from Sonora to California.

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*Those Irishmen—an expression once familiar in old Spain.

While not participating in the expeditions along the border, yet there was another man of Irish blood, who, although holding office at the time as the Second Governor of California, did not contribute to the success of the venture—Felipe de Barry, a grandee of Spain and a descendant of the Irish de Barry Norman stock.

There was also Don Juan O'Donojú, the last of the Spanish viceroys of New Spain. Fortune failed him in the first of the Mexican revolutions, for, on his arrival in Mexico as viceroy, he could do no more than surrender as representative of the king of Spain before the Iturbide insurrection, ending Spanish rule in Mexico and the Californias. His name is mentioned here to complete the picture of Esos Irlandeses appearing in the history of Spanish California to the exclusion of other nationals on the side of Spain.

True, none of them ever set foot in Alta California—so far as California histories or archives disclose. And yet, their contribution to the Spanish cause has given some of them, at least, a niche among eminent figures in Spanish history.

Wars of conquest and insufferable penal laws in Ireland, and also the broken treaty of Limerick, drove the best of the Irish youth to the continent of Europe.* The "broken treaty" allowed the vanquished army of Sarsfield to sail away from home with military honors. Whole regiments were thus expatriated, when the exodus became familiarly known in Ireland as "the flight of the wild geese." Nobles, generals, and high officers of the Irish army vanished from the scene with their men. Through later years other fighting Irishmen saw the fair hills of their homeland for the last time. Referring to this pitiable incident, in which perfidy on one side is contrasted with the characteristic honor of the Irish in the period of 1693-1698, John Mitchell (History of Ireland) says: "Most of the choicest intellect and energy of the Irish race were now to be looked for at the courts of Versailles, Madrid and Vienna." In the war of the Succession, Spain had five Irish regiments, whose commanders were O'Reillys, de Lacys and others. For several generations a succession of Irish soldiers of rank and distinction were always to be found under the Spanish standard, and those who had been chiefs in their own land, were always recognized as grandees, the equals of the proudest nobles of Castile (Mitchell). Among them was the Conde Henry Joseph O'Donnell, who left Ireland after the battle of the Boyne and became Field Marshal of the Spanish armies. His son, the Duke of Tetuan, was president of the Spanish cabinet in 1809. As late as the end of the last century a grand monument was erected at the entrance to his native city, Cádiz, to Segismundo Moret y Prendergast, inscribed: "Primer Ministro, Gran Político y Orador Español" —prime minister, great statesman and Spanish orator. He was the author of the Moret law abolishing slavery in Cuba and Puerto Rico, and, as minister of the Spanish colonies he averted conflict over rights of the United States in Cuba.

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*Born in Dublin in 1725 ("General irlandes al servicio de España. Nacido en Dublin en 1725." Enciclopedia Universal Ilustrada. Barcelona).

So much for this digression in explanation of men of Irish names in the scene by the Pacific. And now to return to California.

Upon his appointment as governor of the unknown region north of Mexico City, to which the name of New Spain had been given, Cortes engaged in a desultory manner the exploration of the Pacific

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*34,000 fighting men left Ireland in Cromwell's time. Padraic Colum, "Cross Roads in Ireland."

Coast. In 1535 Mendoza, the first viceroy, was appointed with jurisdiction over a vast region. Juan Rodriguez Cabrillo discovered California in 1542, and from that year until 1769 little or nothing was done in exploration of California, either by land or by sea. For two hundred and twenty-seven years California remained a wilderness, regarded as unworthy of consideration as a colony. Meanwhile, however, the Spaniards were gradually moving northward inland, pushing the frontier farther up and following in the footsteps of Father Kino, the remarkable Jesuit missionary, who alone among hostile Indians explored Sonora and the country as far north as the Gila River and westward to the Colorado, and mapped the region while preaching to the gentiles; and also the explorers looked to Father Garcés, the tireless Franciscan, who had gone before them over deserts and wild places among wilder men to the Colorado, living a charmed life and winning the natives with the Gospel.

Suddenly, as if stirred by some new impulse, Spain awoke to a definite determination to possess Alta California and to populate that distant land with the purpose of holding it as part of the royal dominions against all opponents. Here is a significant fact. For more than two hundred years, California was only a name at Madrid. Plainly, Spain was agitated over conditions on the Pacific and she moved with an alacrity wholly foreign to her proverbial laissez-faire.

Although the idea of an overland route to California had been under consideration by Viceroy de Croix and the Visitador, José de Gálvez, still no progress was made in that direction until new life was given the movement through the instrumentality of Conde de Lacy, then Spanish ambassador to St. Petersburg. In 1764 de Lacy dispatched a secret report to Madrid, warning of activities of the Russians on the Pacific.

From 1764 to 1767 de Lacy kept his king advised on Russian designs on Alta California, and in 1768 Gálvez received mail telling him that the Russian empress was preparing expeditions for fresh attempts to establish communications between Siberia and the Pacific Coast of the Americas. At the same time the viceroy received notice from the Spanish minister of state that the king had ordered him to instruct the governor of the Californias on "the vigilance and care he ought to exercise in order to observe such attempts as the Russians may make there, frustrating them if possible and reporting promptly to his majesty" (Charles Edward Chapman, Ph.D., A History of California: The Spanish Period).* Dr. Chapman says the viceroy and Gálvez had under consideration expeditions to California, "long before any word came from Spain about Russian activities." On the same page the learned historian notes, "It seems highly probable that Gálvez himself was already planning, as one phase of this project [among other things, the preservation of California] an immediate occupation of Monterey."

That the expeditions to Alta California in 1769 were the results of de Lacy's warnings appears self evident. Witness Portolá's letter (Chapman's History, page 227) declaring he had taken legal and formal possession of the land, as ordered by the vistador-general, and erected a fort to occupy and defend Monterey "from the atrocities of the Russians, who were about to invade us, as was to be inferred from the terms of the instructions."

Hittell (History of California, I, 334) quoting from Palou's Vida, relates there was great joy in the City of Mexico and in Spain over the success of the expeditions culminating in the founding of Monterey and the gaining of an immense territory "from the common enemy."

"Radiant as is the priestly figure of Junípero Serra drawn by Palou, the careful investigator will find that the impelling factor in the occupation of California was stern military necessity, not missionary zeal" (Zoeth S. Eldredge. The March of Portolá). "The king having been warned of the advance of the Russians upon the northern coasts of California, ordered the viceroy of New Spain to take effective measures to guard that part of his dominions from danger of invasion and insult" (Ibid.).

"Count de Lacy, then Minister Plenipotentiary of Spain to St.

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Petersburg, communicated to the court in Madrid, that the Russians were exploring the coast of America. He corroborated his statement with copies of the newspapers of the Russian capital" (Anales del Ministerio de Formento de la Republica Mexicana, VI, 269. Documents in the Archives of the Indies, Seville. Translation by E. J. Molera). This record obviously refers to later correspondence and edicts on the subject, which had been given prior action some years before 1773, the date of second orders to the viceroy.

De Lacy's warning was only too well understood in New Spain.

Irving Berdine Richman (California Under Spain and Mexico) states:

"Last in the catalogue of California events which took place in the lifetime of Junípero Serra, were the three anti-Russian maritime expeditions (1774-1779), the founding (1777 and 1781) of San Jose and Los Angeles, and the attempted founding (1780-1782) of pueblo missions."

Expansion of the Spanish domain to the north in Texas, Sonora, New Mexico and Arizona occupied the attention of the viceroy, Bucareli, in 1773. The project was referred in two letters by the viceroy to O'Reilly for his opinion. "O'Reilly was then the leading military authority in Spain, and also a very great friend of Bucareli. He reported favorably in both cases, holding that Bucareli's measures were very well taken" (Charles Edward Chapman. The Founding of Spanish California).*

These proposed measures—establishment of presidios farther north and nearer the present frontier of the United States, and the opening of an overland route to California—were in the mind of the viceroy. The greatest problem involved was the hostility of the Apaches and other Indian tribes. The line was to be established by an official to be called the comandante-inspector, of the rank of colonel, at least, directly under the orders of the viceroy. Lieutenant-General Hugo Oconor of the regular army of Spain was appointed the first comandante-inspector in 1772. His principal duty was to

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establish the line and to give special heed to campaigns against the Apaches. A letter of instructions and a reglamento (a body of rules or regulations) were given Oconor by the viceroy. They were the letters submitted to Generalissimo O'Reilly. In them, the viceroy wrote to his friend, O'Reilly, that in formulating the regulations he had proceeded principally with a view of avoiding the ideas of the Russians (Ibid.).

During several years Bucareli and O'Reilly wrote each other every month, their letters concerning matters of state dealing with New Spain. Much of this correspondence was directed at checking the Russians in California. Obviously, the viceroy sought advice from his friend, the generalissimo, and depended on him. Dr. Chapman comments on the subject-matter of the letters: "O'Reilly never failed to inquire concerning his friend, Hugo Oconor, and to urge that special favor be shown him. Thus Oconor and his work got more space than any other single factor" (Ibid.).

O'Reilly wished to become viceroy of New Spain, and Bucareli desired to retire from office, provided his friend, O'Reilly, might succeed him. This was not to be, however. Dr. Chapman explains why O'Reilly's wish was not granted: "By the treaty of the year 1767 satisfactory relations between Spain and Morocco had been established, including the recognition of Spain's rights to her establishments on the North African coast. Late in 1774, however, the sultan announced that he could no longer tolerate Christian posts in his empire, and he commenced the siege of Melilla, a Spanish town there. The ensuing military operations need not be followed here, except to note a battle before Algiers in July, 1775.

"On this occasion, General O'Reilly, reformer of the Spanish army and a man of tremendous reputation, suffered a crushing defeat. What is more to the point here is that England was believed to have inspired the sultan of Morocco to attack Spain. This is the opinion of Fernan-Nunez, himself a participant in the O'Reilly expedition. . . . O'Reilly's defeat before Algiers may explain why he failed to become viceroy of New Spain."

Anza, then a lieutenant, petitioned for the full rank of captain of his presidio. His petition was referred to O'Reilly, who recommended delaying promotion until the lieutenant should prove himself worthy of it, "because the command of a presidio was a very lucrative position." The reply evidently had the effect of stimulating the desire of Anza; for, three years later, in 1774, he made his first memorable journey to California. On receiving official notice of Anza's achievement, O'Reilly immediately urged his promotion, and Anza was advanced to the rank of lieutenant colonel (Alberta Johnston Denis. Spanish Alta California).

In the campaign for advancing the frontier nearer to California, General Hugo Oconor was given exclusive control of presidio units over a region extending across the continent from the Gulf of Mexico westward. He had authority to grant a truce, and even negotiate for peace with hostile Indians, subject to approval of the viceroy. "Subject only to the viceroy, he ruled there during the next four years, and did creditable work in reducing the ills from which those provinces suffered" (Chapman. History).

While General Oconor was directly under the viceroy, still, in case a comandante-general should be appointed, he would be subject to that official. In compliance with instructions by José de Gálvez, visitador-general, that the detached companies of soldiers on the frontier be organized as a regular militia under command of Oconor, the "soldados de cuera" came into existence. Oconor not alone formed them into a unified force, but also devised their unique uniform which gave them the name of soldiers of leather jackets and saved them from arrows of the Indians. They were the armed men who rode with the Franciscans through the solitudes of California and lived at the presidios and missions. One meets with them along the whole trail of Spanish-California history. The uniform comprised two leather jackets, leather covers hanging down to the stirrups and tied under the horses breast, while the soldier bore on his left arm a shield of two thicknesses of cowhide—knights in leathern armor.

Foremost among the objectives of the movement to colonize Alta California and save it for Spain was the plan to open an overland route from Mexico to California. The project was placed in the hands of General Oconor, and he succeeded in making the way clear for Anza—for a time, at least. A comandante-general was appointed in 1776 in the person of Teodoro de Croix, who proved incompetent. Politics placed him above Oconor, who, as part of the plan for an open road, urged moving two presidios northward from Sonora to the present Arizona on the Gila and Colorado rivers on a route indicated by Father Garcés. The viceroy was in sympathy with the idea of the general, but Croix rejected it, failing to grasp the significance of the northwestern advance toward Alta California. Oconor predicted the Yuma disaster on the route as the direct result of Croix' policy, and in 1781 the Yumas fell upon the weak settlements and killed every man, including four priests. "Croix alone was blameworthy" (Dr. Chapman. History).

The overland route to California was closed. Oconor was appointed viceroy of Nueva Vizcaya, a region corresponding to north central Mexico of today.

As for Viceroy Juan O'Donojú, little more can be said of him in his connection with California than that he was a lieutenant-general in the army of Spain, minister of war, and, for a time, viceroy of New Spain. There were sixty-two viceroys, the last of whom was Juan O'Donojú. Spain had troubles of her own when O'Donojú arrived in Mexico in 1821, when the first revolution in Mexico gave expression to an innate peculiarity of Mexican statesmanship. On his arrival at Vera Cruz, O'Donojú could not do much more than negotiate for a settlement with the Mexican rebel, Iturbide, and surrender in the name of the king of Spain. A new government was organized with a regency of five men of prominence in the state. General O'Donojú was appointed a regent of the Mexican state, but he died shortly afterward of pneumonia in 1821, and he was buried with the honors of a viceroy of Spain in the cathedral of the City of Mexico ("Espasa," Spanish encyclopedia).

The second governor of California was Felipe de Barry. His name is given three different spellings by the historians—de Barri, de Barry and Barry. Since the letters "i" and "y" are used indifferently in Spanish, the spelling is not important. Hittell writes the name "de Barri," Dr. Chapman "Barry," and again it is found as "de Barry." The name is Norman-Irish.

Barry succeeded Portolá as governor of California in 1771. He took up his residence at Loreto in Lower California, where he lived during his incumbency. Loreto was then the capital, and it remained the capital of California until Barry's successor moved to Monterey under an order of the previous year, changing the seat of government to Monterey.

About the time Barry assumed office, affairs were in a disturbed state with friction developing in various branches of the loosely organized government. As a consequence of his policies, Barry became involved in conflict with the missionaries, and also with officers, who were moving properties of the missions of Lower California to the new territory in the north, incidental to the settlement of Alta California. He quarreled with both missionaries and military officers, as well as with civil officials, in protest against stripping the peninsula for the benefit of the new California, not realizing the full import of the government's attitude on colonizing and possessing the lands to the north. Nor was he alone in his positive views. It may be said of him, he stood for what he believed was just and right, until he was replaced by Governor de Neve in 1774.

About the time when the Irish legions in Spain were conspicuous for their bravery, Le Sage was prompted to have his Gil Blas aver: "Nada es demasiado bueno para los irlandeses"—Nothing is too good for the Irish.

Chapter II

Extranjeros from the Sea

THE year of grace 1769 marks the dawn of a new day over California—a day when an empire of the future was born beside the Pacific. For in that year the royal-standard of Spain was flown to the winds from San Diego to Monterey for the first time; and with the flag went the Cross, borne by Padre Junípero Serra and his zealous Franciscan band. Into a wilderness, where white men had never been before, rode Portolá, the soldados, guarding the mule trains and the explorers, and also the padres, who had come so many thousands of miles to bring christianity and civilization to the pagan solitude. And the Cross was raised as they rode to the north and the land was possessed by Spain. Mission San Diego was founded in that year. Two little ships arrived from La Paz with supplies for the new establishments. The first steps were taken in saving California to Spain. Manifestly, the Count de Lacy's warning had been heeded.

In good time the pastoral, romantic era of Alta California was in full flower. Years passed without such possible disturbance as the appearance of foreigners might cause to the urbanity of the dons and their governors. The authorities evinced a jealous disposition against any intimation of foreign interest in California as might be inferred from visits of mariners, or attempts at trading with the country. Fear of foreign aggression lingered somewhere in the Spanish agenda of mañana.

Even at that time, when California's door was barred against the world, who should appear in dreamy Santa Barbara but a young Irishman, asking only to be let live his life there—"El primer extranjero," the first stranger, Joseph O'Cain. So far as the Spanish archives disclose, he was the first foreigner, who fain would be the pioneer of California pioneers. Zoeth Skinner Eldredge (The Beginnings of

San Francisco) says of O'Cain: "This is the first foreigner I have record of who desired to settle in California."

How the young Irishman came upon the scene reads like fiction. In September, 1795, an English ship from Bombay put into Santa Barbara for water and supplies after a protracted voyage across the Pacific. O'Cain, who had sailed from his home port, Boston, on his own ship, had been wrecked and his vessel lost. He was a member of the crew of the Britisher, in what capacity does not appear in the records. He was a shipmaster from Boston, and undoubtedly had taken advantage of the friendly British ship to return to his home. Santa Barbara intervened in his purpose, for no farther would he go. Eldredge describes his dilemma between home and California: "The beautiful country, the delicious climate, the kind hospitality of the people and the bewitching grace of the lovely señoritas proved strong attractions for the young Bostonaise, and he determined to forsake the dangers of the sea, give up friends and country and spend his life in this delightful spot. He was received with open arms and his petition for permission to remain in California was warmly endorsed by the comandante of the Presidio of Santa Barbara."

The comandante's endorsement was made in a letter to Governor Diego de Norica in which O'Cain is described as "a very handsome fellow, a skillful pilot and carpenter, of good parentage, according to the statements of all from the captain downward, and having lost two vessels and his capital he does not wish to continue longer in the business of navigation."

About one month after his communication had been sent to the governor, the Santa Barbara officer wrote additional facts which he had ascertained regarding his guest, O'Cain:

"Said Englishman is a native of Ireland and his parents now live in Boston." To use the words in the letter: "Dicho Yngles es nativo en Yrlanda y ahora sus padres viven en Boston."

Both letters were preserved in the Provincial State Papers, Spanish Archives of California. The governor denied O'Cain's request and sent him on a Spanish ship to San Blas (Eldredge. The Beginnings of San Francisco).

Evidently O'Cain was one of those adventurous spirits that somehow possess power to rise above adversities. Thwarted in his desire to spend the rest of his days in Santa Barbara, and, no doubt, believing it would be hopeless to venture again to return to California, he sailed away to sea. In view of the facts stated in the official letters to the governor—that he was a wrecked seaman on a British ship from India, and that he was put ashore at San Blas—it is surprising that he next appeared on a ship bearing his own name. Eight years after his first appearance, O'Cain is heard of as captain of the ship O'Cain, sailing off the coast of California. At that time the Russians and Americans were poaching off the coast in Spanish preserves, though they could not establish commercial relations with the California government, which still adhered to a policy of aloofness for the very good reason foreign influence was feared. O'Cain, convinced of the possibilities of acquiring riches in hunting the otter along the coast for its valuable skin, persuaded Baranof, chief of the Russo-American colonies, to provide him with a number of Aleuts with their canoes to sail on his ship and catch otters on shares—that is, to divide the profits of the catch. He sailed from Kodiak in October, 1804, when he carried on a limited trade surreptitiously with the Californians. His ship cast anchor at San Diego later in that year, seeking provisions which were denied him. In the following two years he operated along the coast of the Californias, returning to Kodiak with valuable catches of otter furs and whatever articles he could procure in trade. It is stated in the California histories that in those years he accumulated ten thousand otter skins, which were valued at approximately forty dollars each.

According to the record of ships arriving in California from 1774 to 1847, as taken from the official state papers for publication by William Heath Davis (Sixty Years in California) much of the earlier recorded information on O'Cain is quite far from the truth. The State Papers list the O'Cain as having arrived off the coast in 1804 with sixty men, fifteen canoes, five boats and sixteen guns, and having docked at San Quentin for repairs and provisions; and when ready for the sea, she was ordered off the coast. In 1806, the O'Cain, listed as an American ship, Joseph O'Cain, master, appeared at San Luis Obispo. The ship's name does not appear again in the official records. Yet Bancroft says she came again with Captain Winship of Boston as her master. The State Papers mention Winship but once, and then as master of the American ship, Alert, coming to the coast of California in 1807.

Whatever became of the young Irish mariner must remain a mystery. He may have returned to Boston and retired from navigation. It is significant that while on his own ship in a California harbor some years after he had been sent away from Santa Barbara, he was not recognized as the youthful Irishman who had pleaded with the authorities for permission to live with them. On that point the records are mute. However, he went as he came—into the dimness and silence of the sea, perhaps, into the mythic isle of the Gaels' Hy Brasil.

Eight years after O'Cain paid his last visit to California came the next Irish foreigner to its friendly shores—Juan Milligan, who landed at Monterey in 1814. He was the first of his race to settle in the new country, and it is highly probable that he was the first foreigner to make California his home.

There does not seem to be any positive proof that the first foreigner to reach California and to live here was John Gilroy. This statement, no doubt, may receive the scoffs of readers of the state's history; and yet there is in the California histories enough evidence in support of the claim that Gilroy was but one of the first arrivals from the sea at Monterey; and furthermore, that Milligan was the other one. In other words, the landing of both men was simultaneous.

Bancroft (History of California) states that Gilroy was the first foreigner to arrive in California and take up his permanent residence here. Later historical writers accepted and repeated Bancroft's statement; and so the issue of precedence has not been raised, but rather the original averment has been taken consistently as a factual source. So far there is nothing except the original notes, without citation of authority, for the claim of Gilroy's coming ashore as the first settler.

Here is Bancroft's note in volume II, History of California: "The armed merchantman, Isaac Todd, Captain Fraser Smith, ostensibly bound for Manila for tea, but really for the Columbia River, anchored at Monterey in January and remained a month there and at San Francisco, thence proceeding up the coast. Eight men deserted and three others were left at Monterey to recover from the scurvy. One of the three was John Gilroy, the first foreigner to take up his permanent residence in the province. The other vessel was the British man-of-war, Raccoon, which had left the Todd at Rio Janeiro and rejoined her at San Francisco.

"Julian Malcolm, baptized as Francisco Miguel with Gilroy on September 21st, and James M. Baldwin, baptized as Diego Mariano on November 12, were very likely Gilroy's companions. These may have died, or more likely, recovered and been given up with the deserters. John Mulligan, or Milligan, the Irish weaver, may also have been one of these men."

In his History of California, Hittell states that in 1814 John Gilroy, an Englishman, about twenty years of age and a cooper by trade, arrived in a British vessel, and was allowed to remain. He does not cite authority, though he refers to the California Archives as the source for his statement that Gilroy, Milligan and Felipe Santiago, an American, were given permission to settle and marry in California in 1820. The weight of authority is in favor of Gilroy's birth in Scotland. He was born Cameron.

William Heath Davis' book, "Sixty Years in California," was published long after Bancroft had published his California histories, and in the opinion of Dr. Charles Edward Chapman, in his history of Spanish California, Bancroft lacked important information that Davis had acquired, especially in regard to data from the official records on shipping on the coast of California.

Davis had prepared for his book a record of ships arriving from 1774 to 1847 in California ports, the work having been done by

James Alexander Forbes, Jr., keeper of the Spanish and Mexican archives in the United States Surveyor General's office in San Francisco. These records were destroyed in the fire of 1906. The archives have the Isaac Todd arriving February 2, 1814, at Monterey, and the Raccoon March 29, 1814. Compare these dates, which are official, with Bancroft's January and February. The same record has but the two ships named arriving in 1814, and one ship only, the Columbia, July 18th, 1815. There is no record of desertions from the Raccoon.

Reverting to the original statement on Gilroy, Bancroft's Pioneer Register and Index, refers to "John Milligan, who landed, perhaps from the Isaac Todd, certainly from some vessel before 1819, when he was permitted to settle and marry." Citing Spence (Historical Notes, MS., Department State Papers) the same author adds: "Mulligan came about the same time as Gilroy."

The same records recited that the one ship arriving in 1815, the Northwest Company's schooner, Columbia, visited Monterey. Ten deserters were left behind, but the Columbia on the return from Bodega put in again at Monterey and recovered the deserters from the Spanish authorities, who had placed them under arrest.

In March, 1816, the captain of a ship, the Lydia, was tried at Monterey on a charge of smuggling. Milligan acted as interpreter, as noted in the State papers. If his first contact with the Spanish language was but one year before, it is not likely that he would be of any use in dealing with the Spanish idiom at the trial.

Now that the facts are stated, as found in the books, who may say that Milligan was not the first foreigner seeking a home in California, or, at least, that he was not a companion of Gilroy landing at Monterey? Clearly, Milligan arrived on the Isaac Todd, and like Gilroy, was not fit physically to sail away on her when she left. The official State Papers are a complete denial of Bancroft's claim that Gilroy was the first foreign settler in California.

Milligan was a native of Down County, Ireland. His father wrote several letters to Bancroft, inquiring about the rover, who had left home as a sailor. Having learned the art of weaving in Ireland, he taught weaving to the Indians at the Missions in California, and later he acquired an interest in a rancho on the Salinas River, where a hill was long known as Mulligan Head. He changed his name to Milligan, but his reason for so doing was never known. As the years wore on, he became improvident in his lonely environment and lost his property. He died in 1834, a poor man.

From far and near, and all from the sea, Irishmen began to arrive in California just eight years after Milligan and Gilroy were put ashore at Monterey. The first of the new flock of Irish pioneers was John Copinger, from England, the next was John Rainsford, from Hawaii, after whom came Don Jaime Berry from Mexico, or South America. Although they gave freely in their respective ways to the development of the new land, still their names today are barely a mere memory.

Rainsford was a sailor from Dublin, who entered the port of San Francisco in 1829. The usual outline after his name in Bancroft's Pioneer Register and Index touches the high lights in his career in California: "He worked as a lumberman, joined the Compañia Extranjera in 1832, got a Monterey lot in 1835, age thirty in 1836, sold out in '37, at San Francisco, '39-41, acting as interpreter and owner of a launch on the bay; in '42 he lived at Sonoma while getting his naturalization papers; he was a grantee of a Napa ranch by the Sonoma alcalde; he died in 1846."

When John Sutter left Yerba Buena for his New Helvetia on the Sacramento River in 1839, he chartered a small boat and two schooners, the Isabella and Nicolas, commanded respectively by Rainsford and William Heath Davis. Bancroft states Davis was captain of the Isabella while Davis writes he sailed the Nicolas. Not a matter of moment, but Davis was there and must have known the fact when writing his history. Eight days were consumed in finding their way through the maze of the delta with its conflicting currents and tides. The voyage down the river occupied eight more days, indicating the stream was still unfamiliar to them among the islands and mud flats. The crews were famished for food on reaching the site of Martinez, having only brown sugar left. Hunting parties went ashore to hunt for game, or a steer, and Rainsford passed up the game when a fat steer came in his way. He killed the animal and contributed to the roast beef banquet, and Don Ygnacio Martinez expressed regrets to Davis that he was not present to supply bread, butter and cheese with the meat—so typical of the gracious old California dons (Davis. Seventy-five Years in California, second edition).

Rainsford was one of the first two men to sail up the Sacramento River from the Bay of San Francisco. Nearly all his time in California was spent in Yerba Buena, the little settlement which had its name changed to San Francisco. He was industrious and ambitious for success, and for a sailor from the sea, he showed himself to be a man of more than ordinary worth. He died in San Francisco at the age of forty years, when the future was holding out to him promise of reward for work.

An interesting figure in those early days in California was James Berry—interesting perhaps because he maintained a fine reticence about himself while winning the admiration of new acquaintances with a charming personality. References to him appear in Brancroft, Hittell and Davis, all kindly, if not flattering, though indecisive.

"In 1838, at Yerba Buena, I made the acquaintance of James Berry, an Irishman of intelligence and education, who had come here from Mexico, or South America," Davis tells. "He had traveled all over the world. Spear was attracted to him, and Berry stayed at his house while in Yerba Buena. He spent a good deal of his time at the Mission of San Rafael with Timothy Murphy, one of his countrymen, and Father Quijas. He was a Spanish scholar and spoke Spanish perfectly. Governor Alvarado gave him a grant of eleven leagues of land at Punta Reyes, and he stocked the rancho with horses and cattle."

In an unpublished manuscript of Jasper O'Farrell, in possession of the writer, is the following about Berry: "Don Jaime Berry arrived here in 1839; he had been a colonel in the Mexican service and fought with distinction during the war with Spain. For his service he obtained a grant of eleven leagues of land, now of immense value. He sold it before his death which occurred in 1845.

He was unmarried, a native of Dublin, and a good specimen of foreign Irish chivalry."

Jasper O'Farrell was a contemporary of Berry, and a fellow townsman; both came from one of the centers of old-world culture—Dublin. In all probability they were friends here in Berry's later years in California. However, O'Farrell's dates are not correct. Berry arrived in 1836. In a letter from Yerba Buena to Nathan Spear at Monterey, August 3, 1836, Jacob P. Leese wrote he was passing the letter by Berry. The letter, known as "Leese's dam good traid" note, is given in facsimile in Davis' "Seventy-five Years in California."

Bancroft says of Berry: "James Richard Berry, who had lived long in Spanish provinces, a great traveler and a man of many accomplishments, was a grantee of Punta de Reyes in 1836. He was the owner of lots in San Francisco in '41-44. He was at Sonoma in '44, aged forty-two years. I find no later trace of him."

The writer has seen Berry's name as a witness to part of an expediente, granting land, the rancho San Geronimo, Marin County, under date of October 28, 1846 (Spanish records, Book A of Deeds, Marin County records). So Berry was in the neighborhood two years, at least, after Bancroft had lost trace of him.

Records of the United States District Court, San Francisco, attest Berry was granted the Punta Reyes land March 17, 1836, one grant of two square leagues by Governor Alvarado, the other grant of eight square leagues on the same date by Nicholas Gutierrez, ad interim governor. Both grants were affirmed to his successors in interest by decree of the same court in 1853.

Chapter III

A Drama in the Dawn

AND now, out of the humdrum of early California settlement events, the story changes into a drama of real life with a remarkable young pioneer as the hero. How a kindly fate led him half way round the world to a refuge in California, what developed after he had found a snug harbor among strangers in a strange country, and what befell him then comprise one of the romantic episodes in Californiana. As a settler under the new Mexican régime, he played his part manfully, and his generous foster-mother, California, was the richer and better for his presence.

He was John Copinger, a youthful Irish gentleman, who made his appearance at Yerba Buena as early as 1821, a lieutenant in the British navy, which he deserted, and a member of an aristocratic family in the old country. His mother had purchased a commission for him in the Royal Navy, and he sailed from home, never to return.

Accounts of the cause of desertion of the naval vessel in the Bay of San Francisco differ in certain details. There is one story that his commander ridiculed Copinger's nationality, and the angry youth, forgetting his station, hurled a glass at the captain with the inevitable penalty. Both men sat at the same table; the insult was more than Copinger could bear. When the ship put in at Yerba Buena, the degraded officer made his escape. The gates were closed behind him as he entered upon his future in an arena tinged with mystery. Like his predecessors, with two exceptions, previously noted, he fled from the tyranny of the sea.

"Either being unruly or unwilling to be imposed upon, he quarreled with his superior officer, was reduced in rank and made to feel the severity of British naval discipline. He managed in time to escape and finally found his way into the recesses of the Santa Cruz mountains, where he lived in unquestionable freedom, far from the reach of tyrannous restraint" (Hittell. History of California).

While in his haven he found a safe retreat, and yet there is every indication in the story of his life in California, he firmly believed himself to be a hunted man, since he feared to write to his family and gave no other postoffice address than Monterey. Meanwhile, he adapted himself to new and strange conditions, worked hard, participated in public affairs to the extent of serving as Juez de Paz and leading a rifle company under Governor Alvarado, marrying an hija del pais—native daughter—and receiving from the governor a grant of land, west of Redwood City extending to the mountain beyond.

He was the third foreigner to make his home in San Mateo County, and his was the first marriage there.

Like his countryman, Don Timoteo Murphy, who chose San Rafael for home, he selected one of the most beautiful spots near San Francisco—Woodside, where his adobe residence was standing some years ago. He died there in 1847.

A writer in the "San Mateo County History," who explained he had received his facts from an aged man, a contemporary of Copinger, stated that the young extranjero was a man of "ability and education." The date of his birth is not known, and of his early history but little is recorded. There is, however, enough obtainable from letters written by his brother, a captain in the English army, to justify the inference that Copinger belonged to a class known in Ireland as "the gentry." Branches of his family lived in England, as well as in Ireland—remindful of the absentee landlord class of long ago. This is admittedly but a surmise. He was born probably before the year 1800.

San Mateo's story was published in 1883, and there were a few old men then living whose memory, it seems, vividly retained impressions of their youth in the redwood forests west of Redwood City when Copinger lived among them. At least, their contribution to a sketch of Copinger's life in California, with few and immaterial exceptions, stands the test of comparison with other sources.

Conforming to Hittell (History of California) the county historian tells that when Copinger attained his majority, his mother purchased a commission for him as a lieutenant in the British navy—a recognized method of acquiring naval honors in England at that time. While on a voyage to the Pacific, shortly after his assignment, a dispute arose between him and his commander. One account has it that the captain insulted the impetuous youth, who retaliated by throwing a glass at his commander. For this unpardonable offense he was reduced to the ranks, stripped of his officer's uniform and made to wear the blouse of the common sailor, as became his degraded rank. The punishment was more than he could endure. When the ship anchored at Yerba Buena, he deserted her and, with the help of Señora Juana Briones, made his way to the forests of San Mateo County, where he joined two earlier pioneers, James Peace and William Smith.

The date of Copinger's arrival in San Francisco Bay was left in doubt by the earlier historians. Peace related Copinger had come to his place in 1821. A record of ships entering the Bay of San Francisco is given by Davis (Seventy-five Years in California) prepared by James Alexander Forbes, keeper of the Spanish and Mexican archives of California. The record lists a British frigate, not named, arriving May 30, 1821. The next British naval vessel to enter the bay was the Blossom, exploring ship which discovered Blossom Rock, near Alcatraz Island. She came in 1826 and returned in 1827. As there is no record of a British naval vessel touching the coast of California before the arrival of the frigate in 1821, the year in which Peace says Copinger reached his camp, there can be little doubt that was the year of Copinger's break with the past under the shadow of Telegraph Hill in San Francisco Bay.

With the exception of his participation in the campaign of Governor Alvarado in 1836, and his marriage, what he did between 1821 and 1837 is but sparingly indicated, though Bancroft (History of California) mentions briefly that Copinger lived for a while on the rancho of Rafael Soto, original grantee of the rancho Rinconada del Arroyo de San Francisquito and one of the very early settlers in the pueblo of San Jose. About 1827 Soto moved to the

Martinez rancho in San Mateo County, and it was then that Copinger first met his future wife, María Louisa Soto, who was born at the San Jose pueblo in 1817. In 1835, Soto obtained the San Francisquito grant and Copinger married his daughter. Two years later Copinger was in charge of the rancho of Señora Soto, his mother-in-law, the widow of Rafael, who did not long survive the change in his fortunes.

As the marriage of Copinger and Señorita Soto was the first in the region, now designated as San Mateo County, it was considered worthy of description in the History of San Mateo County. The telling betrays between the lines how easily the young Irishman adapted himself to the customs and life of his delightful refuge!

"At an early hour of that bright and beautiful day two equestrians, mounted on a single horse, might have been seen treading their way through the mazes of brushwood en route to the Santa Clara Mission. These were a man and woman; he in the prime of life, she in the first blush of maidenhood. The sacred edifice attained, the two are joined in accordance with the holy Catholic faith; the ceremony ended, the faithful steed is once more mounted and the newly made man and wife, alone with their happiness, their love, their hopes and their fears, commence the journey of life. Arriving at the homestead, it is found that every preparation has been made for a wedding feast of more than ordinary grandeur; congratulations are showered from every side; the guests bidden to the fete give way to joy and gayety unrestrained. To regale the inner man, a weighty beef has been roasted whole among the bright embers, which still smoulder at the bottom of the trench. Viands are spread in prodigious profusion; the fiesta gives way to the dance, the dance to more feasting; day succeeds night, and still the joyousness continues until the third day is ended."

The account of the wedding is given for what it may be worth, although it may have ample foundation in fact as recalled in 1883 by some of the pioneers of the place, who participated in the festivities.

Copinger became a Mexican citizen in 1839. In recognition of his services in a rifle company, Governor Alvarado made to him a grant of land of twelve thousand, five hundred and forty-five acres—the Rancho Cañada de Raimundo. The grant was confirmed to his widow in 1856 by decree of the United States court in San Francisco.

For the first two years of their married life, the young couple lived at the Soto home, and in the fall of 1837 they moved into a small shake house at Woodside. Three years later Copinger built a pretentious adobe house in the same place, which was standing in 1883. It was his residence until February 23, 1847, when he died. He was interred in the cemetery of Mission San Jose.

In these early days, Woodside was home for sailors who deserted ships at Yerba Buena. The first of these men who had experienced the cruelty of ship owners and captains, as described in Dana's "Two Years Before the Mast," was William Smith, known as "Bill, the Sawyer."

He ran away from a fur ship in 1816, hiding in the home of Señora Juana Briones, near Yerba Buena, and, making his way to the San Jose pueblo, he went thence to the country west of the present Redwood City. James Peace, a Scot, made his escape at Yerba Buena in 1818, and he too hid in the home of Señora Briones until his ship left port, and the Señora helped him to find Smith through Smith's wife. The next sailor to desert at Yerba Buena was Charles Brown, who had come from New York on a whaler. Señora Briones aided him to escape to San Jose. All these deserters met at Woodside.

The interest of Señora Briones in the sailors may be explained by the fact that the land records of Santa Clara County contain, in Spanish, a copy of a grant to her of a sitio of one square league covering the site of Los Altos, and thereabouts; and this record is the foundation of titles to Los Altos lands.

During the last years of his life, Copinger had another neighbor, Dennis Martin, a countryman of his, who had come to California in 1844, with the Murphy-Miller immigrant party and settled at Woodside. Martin selected a delightful site for his adobe home, where he lived until 1882, when he moved to San Francisco.

Of Copinger's children, but one survived in 1883, Manuela, who was married to Antonio Miramontes, with whom she lived on the rancho inherited from her father.

Bancroft's Pioneer Register and Index has it that Copinger was generally called English. In his Mexican naturalization papers in 1839, he gave his nationality as American; and in a San Francisco padrón (census) he appears as a Dublin sawyer and one of the defenders of the country. Hittell, referring to William Smith, says "he was joined by John Copinger, an Irishman."

A census taken at Mission Dolores, San Francisco, October 31, 1842, including Yerba Buena and the Presidio, gives the foreign population then as seven Englishmen, one Dane, one Scot, two Irishmen, Copinger and James Hennesy, one Frenchman, one Hollander, twelve Americans and eight Kanakas (Engelhardt, San Francisco or Mission Dolores, page 304; John W. Dwinelle, Colonial History of San Francisco, Narrative 71, Addenda. No. IV).

Bancroft adds that while Copinger seems to have lived on his ranch from 1841, still he was included in the San Francisco padrónes; and also that he was a juez de paz at Corte Madera. In Copinger's day there was no juez (judge) in southern Marin County, and it is safe to conclude that his jurisdiction was in the Corte Madera of the San Mateo redwoods at Woodside, the Spanish name being applied to timber mills at that place.

That Copinger lived in fear of capture by British naval authorities and of the punishment and degradation inevitable, not only for himself but also for his family, may be inferred from his evident purpose to obliterate himself in his seclusion. He gave his address as Monterey, while Yerba Buena was so near. There can be but little doubt that he resolved his family should be kept in ignorance of his exact place of residence (San Mateo County History). About the year 1831 he wrote to his mother in Dublin, or London, that he had been employed at Monterey. That was his only letter to his family.

The writer of the San Mateo history refers to letters he had read in Copinger's papers which had come from Copinger's mother and brother, Captain Henry Copinger of a British foot regiment. Two of the captain's letters are given in full in that history. They were written in 1842 and 1843, and directed to Monterey. Copinger received them since they were in possession of his daughter in 1883. In the latter letter Copinger's brother asked him to direct his letter for his mother to Sir John Kirkland, 80 Pall Mall, London, adding, "and then the letters will be safe." The captain mentioned a visit to the family in Ireland and noted that one of the sons was "In Trinity," meaning obviously that the youth was a student in Dublin University. He also related he had met Lady Gray, and she, as usual, spoke of Copinger with solicitude; and, on the occasion of the meeting, the captain and Lady Gray were dinner guests of Sir . . . Thompson in England. The captain had heard of Copinger's marriage and the grant of land to him "on account of your good services as captain of a rifle company" (History of San Mateo County).

There is quite enough in the letters to warrant the conclusion Copinger was a youth of high estate with fine family connections; yet withal he broke the dearest of human ties and accepted a life of hard labor and discomforts. Only fear, and fear alone, drove him to it.

In a distant land, separated from home and kindred, some compensation was vouchsafed the fugitive extranjero, softening memories into forgetfulness—other loves, the hospitality transcendent in the pastoral life absorbing him; and last of all, its golden freedom, which he realized could never again be his in his own country. In toil and achievement the past was effaced and Copinger won for himself recognition among the pioneers of Mexican California.

CHAPTER IV

"Father of Pioneers"

TWENTY-TWO years before gold was discovered at Coloma, John J. Read arrived in California from his native city, Dublin, whence he had sailed six years before on a voyage on his uncle's ship to Acapulco, Mexico. Nothing is recorded of his life before his appearance on the Pacific Coast beyond the fact of his birthplace and the date of his birth, 1805, and his leaving home at the age of fifteen years. He was a pioneer of 1826. A Marin County historian named him "The Father of Pioneers" because he went directly into the wilderness, preparing the way for others to follow, thus living up to the definitely approved meaning of the word, pioneer.

After he had sailed through the Golden Gate, the local historians are in accord, however brief some of them may be, on Read's activities. They agree that Read reached Acapulco from Ireland, and in 1826 he entered the Bay of San Francisco on a Mexican ship from that port. He visited Los Angeles and Yerba Buena and took such a fancy to the region about San Francisco Bay that he determined to make it his home, and he declined longer to follow the sea-faring life. He went first to Sonoma County and selected land near the present town of Cotati with the purpose of engaging in farming, but being driven out by Indians, he went thence to the mission at San Rafael. Some years subsequently he moved to the vicinity of Sausalito and obtained a grant of land on the bay shore, between Sausalito and San Rafael, and married Hilarita, a daughter of Don Jose Antonio Sanchez. He built his home, settled down and founded a large family (Hittell. History of California).

With the exception of a few Spanish families living on their grants north of the Bay of San Francisco and at the mission at San Rafael, the region was a wilderness when Read ventured there. He prepared the way for others, for as the first English-speaking person to live in Marin, during a space of less than seventeen years, he laid foundations there for civilization. He had lived there fully ten years before the second foreigner came in the person of William Antonio Richardson, mate of an English whaling ship, who deserted his ship at Yerba Buena, and later moved to Sausalito on receiving a Spanish grant of land lying along the north side of the Golden Gate.

Read's first habitation on the shore at Sausalito was a cabin where he lived alone. At that time he did not have a neighbor nearer than San Rafael, still he made plans for a livelihood and with success, since he acquired a small boat and utilized it to transport water to Yerba Buena and to sail it as the first ferry on the bay. The water was obtained from a creek flowing down a hillside at North Sausalito, undoubtedly the same source as "Mountain Spring," until recently sold in bottles in San Francisco. Meanwhile he found time to make comprehensive soundings of the bay about Sausalito and San Francisco for his own use and for whatever ship might anchor at either place. His operation of the Golden Gate ferry began about the year 1832.

Read built the first saw mill in Marin County. There were other so-called saw mills in California before his—saw pits operated by two men at a pit, so Read's power mill was the first near San Francisco. Read's mill was on his land, the Rancho Corte Madera del Presidio (the lumber mill of the Presidio) and from the very early days it was a scene of continuous activity in the preparation of the redwood giants of Mill Valley for building construction in Marin, and the Presidio of San Francisco and Yerba Buena. The sturdy framework of the mill remains where Read and his men placed it more than one hundred years ago, and today those heavy timbers are preserved as an historical monument by the Town of Mill Valley. The town itself took its name from Read's mill.

As early as 1833 Read was regarded as a man of substance. In that year the ship Loriot was seized in San Francisco Bay for otter poaching and smuggling operations on the coast, both acts being violations of the Mexican law. Her supercargo, named Thompson, was placed under arrest and detained in the home of General Vallejo. He was soon released, however, on bail with Read going on his bond. A trial was held, the ship was released and the bond exonerated.

In the "History of Marin County" is a brief sketch of Read, which on comparison with Bancroft, Hittell and Davis is acceptable with minor exceptions. It is here given in full as the only comprehensive story of Read. The town of Sausalito in 1880, the year of publication of the book, was spelled Saucelito:

"To Saucelito township is the credit of having been first settled by an English-speaking person, John J. Read, to whom may be given the sobriquet of the Father of Pioneers. He was born in Dublin in 1805 and left there in 1820. When but a lad, his uncle took him on a voyage to Mexico, and from thence to California. Sailing from Acapulco in 1826 he reached Saucelito and there took up his residence.

"In 1826 he made application to the authorities for a grant of the Saucelito ranch, but was refused it on the plea that it was held for government purposes. He next, in 1827, removed to Sonoma County and tilled a portion of the Cotate rancho, at the same time making application for the grant; but he was not permitted to remain, for the Indians drove him off, destroyed his crop and buried his implements. At this juncture he was recommended to Father Quijas to proceed to San Rafael, where he was given the position of Mayor-Domo of the Mission, and tarried until he came to Saucelito in 1832, erecting for his accommodation, near the old town, a wooden shanty, whence he plied a small boat regularly to the opposite short of Yerba Buena, and established the first ferry on the Bay of San Francisco.

"In 1834 he received a grant of the Rancho Corte Madera del Presidio where he erected a saw mill—the first in the county—while he was taking soundings in the bay. On his ranch he made many improvements, such as fencing, planting orchards and introducing imported cattle, all of which this energetic young Irishman accomplished while a single man and before he had reached the age of thirty.

"Mr. Read married October 13, 1836, at the church of the Mission

Dolores, the Señorita Hilarita, the youngest daughter of Don Jose Antonio Sanchez, commander of the Presidio in San Francisco. He died of a fever at the age of thirty-eight years in 1843 and his remains repose in the Catholic cemetery of San Rafael."

In the year of his marriage he was appointed by the Governor of California administrator of the Asistencia (branch Mission) of San Rafael, which had been confiscated by the Mexican government in the so-called secularization of the California Missions. This office he held for one year until succeeded by Don Timoteo Murphy, who took the management of the properties from 1837 until the sale and effacement of the Mission establishment.

The first directory of San Francisco, compiled July 9, 1846, by William Heath Davis, lists the Read family as follows: "At Mission Dolores: Hilaria Sanchez Read of Read's Rancho in Marin County; John Read and Hilarita Read of Read's Rancho in Marin County." This John Read undoubtedly was the son of John Read, since the date of Davis' directory is three years after the death of Don Juan Read.

Hilarita (little Hilaria) was a daughter of Don Juan, as he was called in Marin. His other children were John, Ynez and Carmelita. Ynez was married February 17, 1864, to Thomas Boileau Deffebach, who had come from Pennsylvania in 1850. The issue of this marriage was Ynez, Mary, Matilda, Caroline, Hilaria, Thomas Boileau, Jessie Oliva and María Hilarita. Living (in 1935) were Mary Matilda Deffebach at Sonoma, Jessie Oliva Sollom, Maria Hilaria and Thomas Deffebach, all residing on the land of their grandfather at Mill Valley, Marin County.

The Read rancho passed to the heirs of Juan Read in four equal undivided parts, and it is still held by descendants of the Dublin Don. So, the Rancho Corte Madera is one of the few California Spanish grants remaining in the ownership and possession of the kin of the original grantee. Saving sites for the towns of Tiburon and Mill Valley, and a tract near Alto station on the Northwestern Pacific Railway, no parcels of land, other than some lots beside the bay, have been taken from the rancho.

Hilarita Read selected for her home place a sheltered spot on Richardson's Bay, near Strawberry Point. She married Dr. B. F. Lyford, of San Francisco, with whom she lived for many years near the old family house conducting an extensive dairy business while her herds roamed the rolling lands beyond her home. She left no children and her interest in the rancho passed to seven heirs including her nieces and nephews.

In confirming Read's grant of land the United States District Court record is as follows: "Heirs of Juan Reid, claimants for Corte de Madera del Presidio Rancho, one square league in Marin County; granted October 2nd, 1834, by Jose Figueroa to Juan Reid; claim filed December 23, 1852, confirmed by the Commission June 13, 1854, by the District Court January 14, 1856, containing 4,460.24 acres."

The finding of the court in the term of December, 1855, was in effect that juridical possession was given Read on receiving the grant and that prior thereto and until his death, Read had been in actual possession and living on the land with his family, and further, that his family continued to live upon the property.

According to Davis (Seventy-five Years in California) in his list of "Hacendados and their property anterior to and after the exchange of government" Hilaria Sanchez Read owned two leagues of land, the Rancho Tamalpais, in Marin, stocked with 14,000 cattle, 5,000 sheep and 1,000 horses. About half way between Alto and the old Read mill there stood a large adobe house. The location is described by Thomas Deffebach, Jr., as the intersection of Lagoma and Locust Streets in the town of Mill Valley. This was the residence of Juan Read, his first substantial house. The Marin County History records that after marrying Ynez Read, Thomas B. Deffebach moved into the adobe home, in which all his children were born. The present Thomas Deffebach says the house was built by his father and that his grandfather, Juan Read, left another adobe house near it. Time and souvenir hunters, he avers, have disposed of the crumbling walls.

On the old Donahue railway (now the Northwestern Pacific), between Tiburon on San Francisco Bay and San Clemente Station, there is a station, Read's, set in a sheltered vale in the bare enveloping hills. Near it was built a family home of frame construction, to which the Reads moved from the crumbling adobe. In later years a pretentious residence was erected and occupied as the home of Don Juan's children, designed after the mode of transition years to nestle in acres of gardens and orchards. To a later generation it was "Home." All about them lay the lands of this intrepid pioneer—south to Raccoon Straits with Paradise Cove and the bay shore along the east and then across the tumbling hills between Alto and Corte Madera, well up the slopes of Mount Tamalpais and back again beside Richardson's Bay to Tiburon.

Corte Madera, situated on the northerly boundary of the rancho, took its abbreviated form from the name of the first Spanish grant in Southern Marin. The meaning of the name itself is lost to those who are treading in the footsteps of Don Juan Read. In the vernacular of today it might be translated as "the logging camp of the Presidio of San Francisco." In the virgin forest, lumber was cut for the military establishment across the bay. Once were majestic redwoods there and over the hills in Mill Valley. The redwoods have disappeared, and so it is with the pioneers.

CHAPTER V

Don Timoteo of Marin

THE next Irishman arriving in early California, when the pioneers were known to the people as extranjeros, was Timothy Murphy, who through years afterward was known as Don Timoteo, a man of high repute among the pobladores and his fellow foreigners, an Alcalde of San Rafael and an unusual figure recognized by the local authorities. Like other extranjeros of the period he sailed in from the sea, only he came from Peru rather than from an eastern port of the United States or from Europe. Don Timoteo did not desert his ship as his predecessors had done. He left home in his early twenties in pursuit of a commercial vocation, eventually concluding his long journey at Monterey at the age of twenty-eight years in 1828. His value to the Mexican province and to the State in later years was conceded, as one may infer from notices given him in local records as well as in contemporary histories.

Don Timoteo was born in Wexford County, Ireland, in 1800. His father, in comfortable circumstances, gave him a fair education, and after leaving school, he was employed in a commercial house in Dublin. He soon changed his position for a more lucrative one with Hartnell & Company in London, an English firm operating in Lima, Peru, to which place Murphy was assigned. He spent two years at Lima, and at twenty-eight he was sent by his employers to Monterey, where Hartnell & Company had its northern Pacific branch. From Monterey he was transferred to San Francisco as local agent in shipping of hides and other activities.

He was one of eighteen pioneers to arrive in California in 1828. In 1829, among the permanent residents at Monterey were W. E. P. Hartnell and Timothy Murphy (Bancroft. Pioneer Register and Index). While at Monterey he was one of the signers of the roll of the Compañia Extranjera de Monterey. The reason assigned for forming this military company of "foreigners" was "to protect the town against attack from the interior, or from any quarter when disturbances continued between Mexican authorities." As a company of foreigners, the Compañia was the first volunteer military organization in California. It continued in existence until peace appeared certain, and Murphy was a member till the end.

As a naturalized Mexican citizen from 1839, Don Timoteo served as Indian agent for the Marin Indians, Land Commissioner and Juez de Paz. He was also Alcalde at San Rafael, and from 1837 to 1849 administrator of the San Rafael Mission.

The following sketch of Don Timoteo is found in an unpublished manuscript of his contemporary, Jasper O'Farrell:

"Of the many early settlers, who were not sailors, the following are of most note: Timothy Murphy—Don Timoteo—a native of the County Wexford, came to this country in 1829 from Peru in company with an English gentleman, Mr. Wm. Hartnell, for the purpose of packing California beef. Their enterprise having failed, Murphy, being a good shot, commenced otter hunting on the coast, a very lucrative employment as the skins were worth from fifty to eighty dollars each, and the game plenty. He continued in this business until 1838, when he joined the partisans of Govr. Alvarado against the appointee for that office of Santa Anna, Don Carlos Antonio Carrillo. Alvarado being successful, and afterwards being acknowledged as governor ad interim, appointed his friend, Murphy, administrator of the mission of San Rafael, a position of responsibility and trust, which he retained to the end of the Mexican régime.

"In 1843 he asked for and obtained a grant of five leagues of land—Las Gallinas and Punta de San Pedro—near San Rafael and lying on the Bay of San Francisco. Here he built a residence and lived universally esteemed and beloved until his death in 1853.

"Murphy was a fine looking man, tall, powerfully and well built, a good horseman and keen hunter. He imported the first greyhounds to California and kept a kennel of from twenty to thirty hounds. Deer, elk and antelope, being plenty, they afforded in those days a rare sport. He was hospitable, kind and generous, and was looked up to as a father by the people of the country (requiescat in pace). His nephew, John Lucas, lives on the grant."

A statement reflecting on Don Timoteo is found in Bancroft's History of California, volume III, page 718, and it calls for notice. Bancroft writes that when Hartnell, as visitador of the secularized missions, visited San Rafael Mission, "He found the accounts in bad condition, as the administrator could not read or write." And in the same paragraph, that Murphy was administrator in 1837-1849, and Hartnell's first visit was in 1839.

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In another place in Bancroft's history, as in other histories of California, one may read that Murphy was employed by Hartnell's firm in London for the company's branch office in Peru, whence he came to California in the service of Hartnell & Company.

For refutation, apart from this fact alone, there is the "Book of Brands," preserved in the office of the County Recorder of Marin County. This small volume, rebound and preserved as a relic of Spanish days, contains certificates with drawings of brands as granted to the rancheros and signed by the Alcalde. Murphy, while holding that office, wrote many certificates in the book, all in Spanish. His Spanish betrays an indifferent habit, such as might be looked for in one whose business was not writing, but words misspelled in one certificate are spelled correctly in another one. A certificate copied by the writer, as written by Murphy in the record, follows:

El Ciudando, Timoteo Murphy, Alcalde de Ira. nominación del Pueblo de Sn. Rafael:

Certifico que Don Manuel Torres presentado en este juzgado solicitando el permiso de herrar y señalar con las marcas que á el Margan demustran, y no encontrando obstaculo que se lo impida se la á obtorgado su petitión dado el derecto* de dicho documento en este jusgado de San Rafael á las viente y cinco de mes de Septembre de mil ocho-cientos cuarento y cinco.

TIMOTEO MURPHY

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*Obviously intended for decreto, decree; or perhaps derecho, right.

The translation:

The citizen, Timoteo Murphy, Alcalde of the first nomination of the pueblo of San Rafael:

I certify that Don Manuel Torres has appeared in this tribunal soliciting permission to iron and to brand with the marks demonstrated on the margin, and not finding any obstacle that impedes obtaining his petition, I give the decree [right?] of said document in this court of San Rafael the twenty-fifth day of September, 1845.

TIMOTEO MURPHY

Following a temporary appointment by the Governor, he was elected Juez de Paz at San Rafael in 1845, with Ygnacio Pacheco as Suplente. He continued to act as administrator of the Mission properties, including the cattle, sheep and horses at Nicasio, until an inventory and appraisement were made and signed by the Governor and Murphy. The properties were sold by Governor Pico in 1848.

An unexpected visit was made to the Don's rancho in 1846 by Fremont, then traveling north, and the visitor left with sixty of Murphy's best horses without compensating him.

Murphy may have been a man of the trusting type, living as he had been among the Spanish rancheros in sympathy with their fine standards of business. In 1849, one John B. Steinberger appeared in San Rafael with an impressive scheme to make the rancheros rich. The "Baron," as he was called, was an imposing person with a smooth tongue. He finally opened a butcher shop in San Francisco and did a big business, selling choicest cuts at twenty-five and fifty cents, which cost him nothing; for he never paid anybody, and before long stripped Don Timoteo (Hittell. History of California).

As Indian agent, Murphy represented the Indians of Marin in their unsuccessful claim for the Tinicasia grant. Don Timoteo filed a claim with the United States Land Commission in 1852 in behalf of the San Rafael Indians. He contended that the grant of one square league in Marin County by M. G. Vallejo to the Indian tribe for their exclusive benefit was valid. The claim, however, was denied by the commission November 21, 1854.

The only recorded case in which the authority of the military in civil matters was disputed during the American territorial régime in California was that of Alcalde John H. Nash of Sonoma. Nash arrived in 1845 from Missouri and was elected the following year. Irregularities in his acts were reported to the authorities, whereupon General Kearny appointed L. W. Boggs to succeed him in 1847. Nash denied the General's right, or power, to remove an alcalde. The citizens held a public meeting to petition for his reinstatement. For a time there was no alcalde for Sonoma, each one declining to act. Finally Nash was arrested and taken to Monterey. He resigned and surrendered all his papers and accounts of his administration. Charges were then made of fraudulent grants of town lots in Sonoma and of changing the original map which had been made by Jasper O'Farrell. The high regard in which Don Timoteo was held by the Mexican officers is shown by his appointment with J. R. Snyder as commissioner to investigate the charges and report findings to the Governor.

Murphy was named on a committee of Americans in San Francisco in 1847 to protest to the President of the United States against the appointment of General Fremont as Governor of California. When information was received from the East that an attempt would be made to induce the President to appoint Fremont Governor, opposition was aroused and a public meeting was held in San Francisco to remonstrate against him. The duty of the committee was to seek evidence against Fremont and to circulate a counter petition. "The California Star" of San Francisco, issue of June 19, 1848, notes: "The prominent men named were Nathan Spear, R. H. Sherman, H. Pettit, Frank Ward, T. J. Farnham, Jasper O'Farrell, Robert Semple, Thomas Leese, Leidesdorff, Timothy Murphy and Guerrero."

Bancroft says of him (History of California): "Murphy, or Don Timoteo, as he was generally called, settled at San Rafael, kept a sort of open house, and was noted far and wide for his hospitality. According to accounts of old neighbors, who knew him intimately, as well as travelers from abroad, who visited him, he was one of those 'fine old Irishmen,' now alas too much of olden times."

Indeed, Murphy was regarded as a man of great liberality in benefactions of various kinds. Bancroft writes he was a "liberal giver to several Catholic institutions." He conveyed to the Archbishop of San Francisco one-half of a one-hundred-vara lot on Market Street, to be used for a school and orphanage site, now part of the Palace Hotel property. His other notable gift was the grant of nearly one thousand acres near San Rafael for St. Vincent's Orphan Asylum—a tract still held for the benefit of St. Vincent's School for Boys, in accordance with a condition in the Don's conveyance, and now the site of an imposing group of buildings all harmonized in the beautiful Spanish type of architecture.

Timoteo Murphy—the name stands of record in the United States District Court of the Northern District of California—was known to the Spanish Californians as Don Timoteo years before the argonauts began to flock into the state. His land holdings in Marin County, comprising nearly twenty-two thousand acres, were identified as the Ranchos San Pedro, Santa Margarita and Las Gallinas. It was a noble estate extending from Point San Pedro to San Rafael on the Bay of San Francisco, and thence northwesterly over marsh and rolling hills into Lucas valley. The grant was made to him by Governor Manuel Micheltorena, February 14, 1844, the Mexican governor using the Spanish given name in the conveyance. In the United States District Court judgment confirming the original grant, entered in 1852, the area is given as five square leagues.

When engaged in hunting the sea-otter, he made his headquarters at the Presidio of San Francisco and at the Mission of San Rafael, as sea-otters were very plentiful in the Bay of San Francisco and at Bodega and other contiguous points on the ocean shore. The skins were quite valuable, worth from forty to fifty dollars, and sometimes as high as sixty dollars, and sold readily to the Boston ships that traded on the coast (Davis. Seventy-five Years in California). The Don was reputed an expert with the rifle, and in pursuit of his favorite sport of hunting, combined with a remunerative business, he was said to have accumulated enough money to place him in comfortable circumstances.

When traveling from Monterey to Sutter's Fort in 1848, General William T. Sherman tells in his "Memoirs," he and his party rode from Sausalito to San Rafael, where he spent the night in the residence of Don Timoteo. The General was accompanied by Captain Folsom, four soldiers, two citizens and Colonel Mason's colored servant. The Don received them with real hospitality and the party left with pleasant memories of his home. A drawing, largely in outline, of the Don's home at San Rafael, in possession of his grandniece, Miss M. L. Lucas of San Rafael, is of a two-story building of adobe with a spacious doorway, two windows on each side of the entrance, and five windows in the upper story. From all appearances it was quite plain that such a home of a bachelor spelled hospitality, as noted by Bancroft, and that it comfortably accommodated the General's party.

Don Timoteo's will was on file (1935) in the Marin County Clerk's office, and it may still be there—a formal and prolix document after the fashion of its time. The date of its execution is January 11, 1853. An interesting side-light on his character is afforded by his will, in which he declared though weak in body, yet he was of sound, disposing mind and memory. In the next sentence the Don's attitude toward life here and in the hereafter is thus told: "As a true believer in the Holy Catholic Faith, commending my immortal spirit to Him who gave it, and resigning my body to the earth to be decently interred under the direction of my executors, hereinafter named, I dispose of all my estate," etc.

All his real property was devised to his brother, Matthew, and to his nephew, John Lucas, subject to bequests to various members of his family. Lucas received the Santa Margarita rancho, now known as Lucas Valley. The testator left to his "faithful Indian servant, Candeliria," two hundred dollars, and four hundred dollars to his "other good Indian servants, Josavius, Alevasia and Dick," not in money, but for clothing and other necessaries as his executors deemed best for them.

The executors were instructed to purchase six silver cups "of good workmanship," upon each of which would be engraved his name and the name of one of his six Godchildren, Augustina Black, Julia Miller, Catharine Merrell, Catherine Pacheco, Juan Read and Toto Martin. Such appropriately engraved cups were "not as things of pecuniary value, but as tokens from the heart of friendly feelings and kind regards to their parents and to themselves." The will declares it was Murphy's will and pleasure that his executors shall not be restricted as to the price to be paid for these "mementoes of affection."

One of the executors, James Black, a native of Scotland, had been the Don's constant companion during their many years in Marin. The other executors were Patrick Lambert and James Miller. All Murphy's "honored and well-trusted friends."

Murphy died at his home in San Rafael in 1853, a bachelor.

CHAPTER VI

La Beata's Adios

WHEN the lovely Concepción Arguello renounced the world to enter the Dominican Convent at Monterey, she passed over the threshold of the hospitable house of James W. Burke at Santa Barbara that for years had been her home. Among her own people at Santa Barbara she had long been known as La Beata (the religious), because she wore the gray habit of the Third Order of St. Francis, while possibly grieving for her lost betrothed, the Russian Imperial Chamberlain, Nicolai Petrovich Rezanov. The story of her romance is, of course, the most widely known of all things in California history through its appeal to the imagination. It belongs to the world; it has been immortalized by Bred Harte in a poem that may live, while in prose and in the drama the virtue of La Beata's constancy and sweet resignation glows as a halo of light to future generations.

With the single exception of Katherine Den Bell's "Swinging the Censer," the California histories fail to mention the fact that La Beata was a member for six or eight years of the household of James W. Burke, the Irish pioneer, and his wife, Doña Josefa Boronda de Burke, on Figueroa Street, Santa Barbara. Sir James Simpson (Narrative of a Voyage to California Ports in 1841-42) relates that on the occasion of his visit to Santa Barbara in 1834, she was living in the home of the De la Guerra family. Apparently, the later writers accepted his book as the final word without tracing her residence until she appeared at Monterey.

"It was some years before I was born," Mrs. Bell recalls, "when Sir George Simpson brought the Beata his news [the death of Rezanov] and she had not yet gone to live in the home of Doña Josefa de Burke. Shortly after Sir George's visit, the Beata entered Doña

Josefa's household, which was, above all others, fitted for the manner of life she had chosen."

Mrs. Bell delights in reminiscences of the Burke residence, which she describes as a spacious house, a few steps from the casa of her father, Dr. Nicholas A. Den, the two houses with their patios and gardens occupying an entire block. Burke's house had a long wing at the rear with corredores (arcades) resembling the rows of arches of the old Missions. Doña Josefa was there with her three Indian maids and her four daughters. In 1850 and 1851, when Doña Rosa Den was ill, it was little Katherine's home, at least part of every day.

Those quiet, contemplative years at last came to an end when La Beata determined to withdraw from the world for the better part in a religious life. And so the day was set for her leave-taking from Santa Barbara, when she was to sail for Monterey. On that date the little steamer was late and the night had set in.

Mrs. Bell (then a child of six years) has preserved in her fascinating book memories of that night: "So there I was, wrapped in a blanket, in the corridor of Doña Josefa de Burke's house. Through the haze of the buried years I seem to glimpse again the open door and the unshuttered windows with the light streaming out. Our carriage was standing close to the curb, with its night lights aglow and the driver, O'Connell, on the seat. Stalwart George O'Connell, who more than once had saved my father's life in the Placeres, was a superb coachman, trained in the old world. What followed were all wound up in a hopeless medley. One thing alone stands out in spite of time's relentless toll—the Beata's sweet, pale face amid the folds of the black Andalusian cloak and her eager, outstretched arms.

"Again and again she called me by the pet name she had given me:

"'Taravillita! Taravillita!' [Babbling baby girl].

"The lingering inflection, the caressing melody of her voice permeates the atmosphere around me now.

"She pressed me to her heart, bent over my head, kissed my forehead, eyes and lips, and, holding my face between her hands, gave me her farewell blessing:

"'Dios te haga una santita.' [God make you a little saint.]

"With the cross she wore she signed my forehead and mouth; then she drew the blanket over my head, held me a moment more within her arms—I was taken back to bed.

"It was the Beata's Adios."

That night María de la Concepción Arguello sailed away to Monterey to enjoy in a Dominican convent the "peace that surpasseth all understanding."

Burke was the first of an interesting group of young Irishmen to arrive at Santa Barbara from the sea. In the "History of Santa Barbara County," he is given the title of captain, evidently because he made his first appearance at Santa Barbara in 1820 on a trading ship, reputed to have come from Peru. Eight years passed and he landed a second time, when he turned his back upon the sea to live the rest of his life at Santa Barbara. He was then thirty years of age. Bancroft has the date of his arrival as 1828, while Davis gives it at 1830 or 1831. It was conceded that he came on the ship Joven Tartar.

His name, often Santiago (James) and Walter, appeared frequently in commercial and other records of Santa Barbara from 1830, while he engaged in commercial enterprises. He had not long made his home at Santa Barbara when he married Josefa Boronda, who had come from Mexico with her uncle, Bishop Garcia Diego, the first bishop of California. The year of his marriage was 1836. For years he was regidor of Santa Barbara (Bancroft. History of California).

Don Santiago was one of the very early foreign settlers in California. At the time of discovery of gold at Coloma he had been a resident of the state for twenty years and a naturalized citizen of Mexico most of that time. From trading on the coast he turned to ranching on a Spanish grant of many thousands of acres, over which his herds roamed and brought him wealth.

His union with Doña Josefa Boronda was an entry for him to the best Spanish society of the place. Sir George Simpson relates, "We immediately started to pay our respects to the principal inhabitants; amongst them being Doña Antonia María Ortega, Don José Antonio Aguirre, Don Carlos Antonio Carrillo and Doña Josefa Boronda de Burke."

Another of the picturesque Gaels, who could not resist Santa Barbara, was Captain Thomas W. Moore. Probably he did not try with much determination to resist it; rather, he decided to remain on looking over the country. And then the next step was to win a beautiful Spanish wife and face the world in new fields of endeavor, totally strange to him, a rover of the seas.

In a sketch in the "History of Santa Barbara County," written while he was alive, is a statement that he was a member of an old Irish family that sent eminent men into the world, among them being "Sir Thomas Moore," the famous commander of the English army in the Peninsular war; and also Thomas Moore, the poet. Sir John Moore was the general. The Irish poet and the Scottish general were not known to have been related.

Thomas W. Moore was born in Galway, Ireland, in 1819. He was said to have inherited a love for the sea. His father, Captain John Moore, had been commander of a British man-of-war, and the young son at the age of thirteen, longing for life on the ocean, shipped as a cabin boy on a small sailing ship. Seven years later he had risen to the rank of captain of his ship.

A rebellion was brewing in Ireland in 1848, and Thomas D'Arcy McGee, a patriot leader, was hunted by the British as a rebel with a price on his head. Captain Moore secreted McGee aboard his ship in Galway bay and carried him to America. On arrival at Philadelphia McGee was tendered an ovation on his safe delivery in the hospitable haven of political exiles; and the captain shared in the honors as his liberator. And, incidentally, that ended the captain's usefulness on the English ship.

Moore was one of the many argonauts that set sail for California in 1848. The vessel upon which he sailed with about four hundred fellow passengers had to put into Valparaiso harbor, where she was condemned as unseaworthy. Disappointed, but not discouraged, he sought employment and found it on a coaster plying between Callao and Mazatlan. He was appointed in 1849 master of the McKim on her voyage from Panama to Monterey. This ship proved unfit for the sea. She barely moved and passengers were reduced to a state of distress when the cholera epidemic followed her from Panama. Three hundred of them died at sea. Captain Moore did not shrink from the duty of caring for the victims. He put up shelter tents above deck, thus providing a hospital shading the sick from the tropic sun. He divided his duties between managing the ship and nursing. On the ship's approach to San Diego he put up signals of distress, lay to, and in response to his call a rescue vessel was sent out and the sick were taken ashore.

From Monterey the Captain went to San Francisco, where he worked on bay craft for some time until he engaged in salmon fishing on the Sacramento River—a business which yielded large profits. His health failing under the stress of labor to which he had not been accustomed, he moved to Santa Barbara in 1855, where he bought hides for the San Francisco market. Meanwhile he conducted a retail business near Lompoc. It was then he leased the Rancho Sal se Puedes (Get out, if you can) situated in or near the Gaviota Pass, and possibly east of Lompoc. Four years passed and he bought the Purificación Rancho on the Santa Inés River in the same vicinity where he established his hacienda.

While at Santa Barbara he held positions of honor and profit. The Santa Barbara County History says of him: "By his industry and enterprise he accumulated a large estate, embracing thirteen thousand acres of the Purificación ranch and much real property in the town of Santa Barbara."

When Edward McGowan was hiding from the San Francisco Vigilance Committee at the Den ranch, near Santa Barbara, Moore paid him a secret visit. By invitation, McGowan rode out of his cover at early morning with an Indian guide to visit his new friend, about whom he wrote in his "Narrative":

"He had adopted the sea for a profession, and it was he who secreted in his ship the Irish patriot, Thomas D'Arcy McGee, when the British authorities were in pursuit of him, and brought him safely to America. He had been a great traveler, and the chances and changes of a sailor's life had thrown him, in 1851, on the shores of California. He had married a young and beautiful lady, and was located as a permanent citizen of Santa Barbara, on a rancho called Sal se Puedes, about forty miles from the residence of Dr. Den. I was very much pleased on making his acquaintance and found him a most worthy gentleman and agreeable companion."

The rancho is described as situated on an old wagon trail between Santa Barbara and San Luis Obispo through the Gaviota Pass—a spot eloquently named. McGowan continues to tell of his visit to the Moore home in 1857, when Moore had been married but three months to Madelina Burke, one of Captain Burke's three daughters. She spoke no English while her husband was improving his Spanish, yet between them they made their guest feel quite at home, as he says he was entertained with excellent meals and typical old Spanish solicitude for his enjoyment.

In his declining years Moore made his home in San Francisco, where he died June 13, 1881. He was interred at Santa Barbara, his first love in California.

Another of the Santa Barbara Irishmen was Thomas F. Hope, who came to the United States in 1840 and to California in 1849. He followed the gold-dust trail into the Sierras, but the experience was not in the least to his liking. He is next heard from as an Indian agent.

Apparently, Hope was never inclined to court publicity, preferring to keep within himself, attending exclusively to his own business. Undoubtedly, he was energetic and devoted to attaining success in ranching, but little more. He came too late for a place among the old dons. He was employed by Dr. Den on the doctor's extensive estate until in a position to finance his own affairs. Katherine Bell (Swinging the Censer) writes of him: "Thomas Hope, a native of Ireland, was a good and thrifty man, saving to the limit. He was in our employ for a year or more. Later on he rented land on shares, and some years after, invested his savings in sheep, which he herded himself until the flock became too large for one man."

Subsequently to serving as Indian agent he went to Santa Barbara.

He bought the Las Positas rancho for eight thousand dollars at a time when there was little demand for ranch property. The rancho lost its Spanish name many years ago, when it became known as the Hope Ranch, by which name it is still identified on the northwestern boundary of the town of Santa Barbara. It is regarded as one of the most beautiful places in all California, the chosen site for parks and mansions of millionaires. The original Spanish grant made in 1843 was acquired some years later by Thomas Robbins, a native of New England, who had been mate to Daniel Hill on the ship they sailed to California. Robbins purchased an additional square league adjoining from Governor Pio Pico in 1846. On Robbin's death the land passed to his widow, who sold it to Hope, then pasturing two thousand sheep in the vicinity.

Hope married Miss Delia Fox of Santa Barbara in 1856, and there were six children of the marriage, all of whom survived him.

"Mr. Hope was known to the community as a man possessing the highest qualities of mind and heart" (Bancroft. History of California).

In the middle fifties another Irishman visited, or settled at Santa Barbara for a stay of a few years, although his intention at first was to make the town his home. He was Dr. James Barry, a physician from Dublin.

The books give no help in identifying him or in recording his movements in California. Only in Mrs. Bell's sketches of old Santa Barbara is there mention of the doctor: "The Dr. James Barry I have mentioned was an accomplished Irish physician, a bird of passage, who practised here for about two years. His professional testimonials were of the highest; his personal gifts were many and rare. A man of independent means, he could not resist the lure of wanderlust. Through love of travel and change he drifted to Santa Barbara, from either Australia or South America. Everybody loved and admired the distinguished medico Irlandes."

When the notorious bandit, Jack Powers, was wounded in a fight with cattle drovers in a night attack in August, 1857, Dr. Barry was called to attend him. Mrs. Bell relates, the physician was at her father's house on the rancho, in constant attendance on Doña Den, then seriously ill. Dr. Barry rode away at night with a strange guide and was back at the Doña's side by daylight after a long ride in the dark over rough mountain trails. Soon after this experience, when Doña Den had recovered, the doctor once more returned toward far-off places, and disappeared from California.

The last of the Irishmen of note to reach Santa Barbara and to become distinguished in that community was Judge Francis John Maguire, who had escape from his native land when hunted for high treason.

His brother was a member of Parliament, and other members of his family held high places under the English government. He had only to give allegiance to the government to assure for himself power and honor at home. Instead, he joined a patriotic movement and had to flee the country. He escaped to New York and thence to California. Educated and familiar with the Spanish tongue, he acted as counselor, lawyer and friend of the Spanish residents, among whom he did much to reconcile them to American laws governing land titles; and he also instructed them in their duties, privileges and rights as American citizens. In this regard he gained for himself respect and confidence not only among the old Spanish people, but among the Americans as well. He practiced law for many years. In 1863 he retired from the bar upon his election as judge of the county, which office he held with distinction until his death in 1879. The Bar of Santa Barbara County held a meeting to honor his memory in resolutions recognizing his qualities as counsel and judge (History of Santa Babara County).

CHAPTER VII

Don Nicolas Den

FLOTSAM and jetsam of the seven seas were the original pioneers of California. They were foreigners, who for the most part were weary of their lot on shipboard, and when the opportunity offered for an easy escape, they made no effort to resist the temptation of seeking adventure in the strange land. When these extranjeros began to arrive in Alta California, nearly all of them drifted into the Bay of San Francisco or Monterey. Few of them gave a thought to the smiling lands to the south, which were regarded as the exclusive domain of the dons with but scant possibility of such visitors winning a permanent place among neighbors of a different race.

In the thirties a little group of adventurers strayed, at various times, to the south, only to find themselves in a veritable arcadia on reaching Santa Barbara. So much may be inferred from accounts of the discovery of Santa Barbara at the end of the trail. They followed the example of the Spanish residents, becoming rancheros, marrying into the first families (Las sangres azules), forgetting their mother tongue and, as it were, accepting willingly the agreeable experience of learning life all over again.

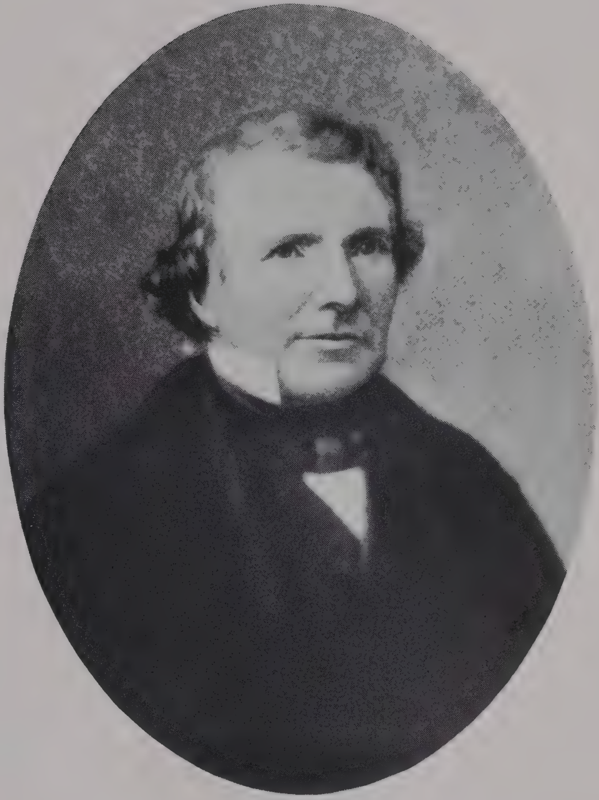
More than one hundred years ago one of the first of these wanderers to come from the sea at California's principal port of Monterey rode by leisurely stages southward to Santa Barbara. He was Dr. Nicholas Augustus Den, a cultured Irish gentleman. Seven years later his brother, Dr. Richard Den, appeared upon the scene and selected Los Angeles for his future home. Another Irishman had preceded them to Santa Barbara, James W. Burke, who dated his residence there from 1828.

Davis (Sixty Years in California) has Dr. Nicholas A. Den practicing his profession after settling at Santa Barbara. Davis had met the doctor and knew him and Señora Den quite well. Of her, he observed that in 1887 she had preserved her beauty, for which she had long been noted as a radiant Spanish type of the Ortega family. Of the doctor he wrote: "Dr. Den was an intelligent, educated and accomplished gentleman and much liked. He has a brother, a physician, now (1889) living at Los Angeles and commonly known in Southern California as Don Ricardo, a man of learning and universally respected."

Determining to stay in Santa Barbara, Dr. Den began studying the business of raising cattle for the hides—a trade ending only with the deposit of the hides at the shore for the Boston ships. He soon became convinced that life on a rancho, as he observed it, was ideal. Apparently the pastoral atmosphere of the haciendas attracted him, as he was a lover of the peaceful existence such as the ranchos assured.

Still an alien in 1839, he petitioned for permission to build a house in Santa Barbara, only to meet with refusal. In the following year he applied for naturalization, which was granted in 1841, and in 1842 his application for a Spanish grant was approved, when on April 18, the Rancho Dos Pueblos of nearly sixteen thousand acres, about seventeen miles north of the town, was conveyed to him by the governor. In the same year he served as tax-collector, and in 1845 he was alcalde of Santa Barbara.

"But the Irish doctor best served the church, nor was he the first of his race in California to help prop the waning influence of the church at that time. Evil days had fallen on the Franciscan friars with the policy of secularization inaugurated in 1843. To these sad matters of the church, Nicholas Den early gave his attention, becoming an ardent champion of ecclesiastical rights during a period of cynical political liberalism. As administrator of certain mission lands; as lessee of the mission itself in 1845, at a rate of 100 dollars monthly for nine years; his help as alcalde in 1845 in the procuring of a land grant of 17 1/3 acres for the ecclesiastical seminary at Santa Inés—in such business concerns the doctor helped. The church was grateful to this devoted, well-bred foreigner, more sympathetic in



Don Nicolas Den of Santa Barbara

Courtesy of the California Historical Society

his understanding than many of the Californian leaders" (Henry Harris, M.D., California's Medical Story).

When the doctor reached Santa Barbara he was twenty-four years of age, having been born in 1812 in Kilkenny County, Ireland. He died March 3, 1862, at his Rancho Dos Pueblos. He landed at Monterey from the American bark, Kent, in December, 1836. Bancroft, Eldredge and Hittell agree on this date for his arrival in California, while the official list taken from the California archives for William Heath Davis and published in his "Seventy-five Years in California" gives the date as 1837. Bancroft states that of about one hundred names of foreigners that appear in the records of 1836, Atherton, Den, Marsh and Rothchef were the men most widely known.

The Rancho Dos Pueblos bordered on part of the old mission land grants, but the boundaries were not easily discernible from the descriptions. Neither the doctor, nor the Padre Prefecto of the Mission, could reach an agreement. Fr. Engelhardt (Mission Santa Barbara) relates how the issue was settled: "Early in 1843 a dispute arose between Nicholas A. Den and Fr. Prefecto Narciso Duran. The case was carried to Governor Micheltorena, who invited the disputants to appear before him at Los Angeles. The hearing took place on March 21 and 22, 1843. Fr. Duran, for the Mission, was represented by Fr. José Joaquin Jimeno and Fr. Gonzales Rubio, while the mayor-Domo of the Mission, Leandro Gonzales, represented Mr. Nicholas A. Den. The case was argued in order to obtain a juridical declaration on a tract of land to which Mr. Den claimed he had a right, which Fr. Duran denied. After the matter had been discussed for three hours on March 21 and for two hours on March 22, the following agreement was reached: 1. The Mission shall have as exclusive and perpetual dominion all the land on the left bank of the arroyo de la Cañada de Las Armas. 2. Nicholas A. Den shall have as absolute and perpetual dominion all the land ceded by the Mission of Santa Barbara, and extending from the right bank of the arroyo to the Cañada de las Llagas. The document was signed by Fr. José Joaquin Jimeno, Fr. Gonzales Rubio, Nicholas A. Den, Leandro Gonzales and the secretary, Francisco Arce. It was approved and signed by Governor Micheltorena.

"In pursuance of the edict of secularization of the missions, made years before by the Mexican government, Governor Pico in November, 1845, informed Fr. Duran that on December 5, 1845, Mission Santa Barbara would be rented to Nicholas Den and Daniel Hill, who were the highest bidders. The mission was now to pass out of the hands of the friars and into the hands of secular lessees. Pico's method of disposing of the Indian missions in general may be inferred from his procedure in this case. 'Nicholas August Den and Daniel Hill, being the lessees, of Mission Santa Barbara,' Pico wrote to Fr. Duran on December 16, 1845, 'Your paternity will be pleased to proceed to the formal transfer of the lands and movable property, as well as implements of labor and the appurtenances of said mission to the aforesaid Den and Hill by way of a scrupulous inventory, stating also the valuation'" (Fr. Engelhardt).

Father Duran replied to Pico's letter: "Replying to your favor in which you communicate to me the names of the lessees of the Mission, Messrs. Den and Hill, in order that I, in virtue of the notice, may proceed to delivery to them this Mission of Santa Barbara, I have to say that we immediately commenced the work and that today the surrender of San Marcos, the Mission rancho, has already been accomplished" (Fr. Engelhardt). In 1846 Den and Hill pledged their ranchos, Dos Pueblos and San Pedro, to return all the mission property in good condition after the term of nine years (Bancroft. History of California).

Dr. Den maintained a consistent attitude of defense of the old Mission Santa Barbara with the governor continuing to lease and grant the same mission lands. These properties were sold by Pico June 10, 1846, to Dr. Richard S. Den of Los Angeles for $7000, the buildings and appurtenances being reserved. As a condition of the transfer, the buyer agreed to respect the personal and property rights of the Indians living at the mission; also to provide what was necessary for the subsistence of the missionary in charge and for the conservation of divine worship. On the expiration of the leasehold term he was to take possession.

Pico also granted part of the mission lands in 1845 to Don Anastacio Carrillo of Santa Barbara. Demand was made on Den and Hill in 1849 to sign an act of juridical possession. Dr. Den protested to Colonel J. D. Stevenson, then at Santa Barbara, claiming that if the act was signed, Carrillo or his successors, could at any time avail themselves of it and thereby prejudice gravely in all their interests the Indians and other persons, who possessed the right to be protected. The doctor wrote that "he was moved solely by a profound sense of justice and charity." Colonel Stevenson declared the grants of the Rancho San Marcos null and void as it was part of the mission properties (Fr. Engelhardt).

Bishop Garcia Diego, the first Catholic bishop of California, arrived at Santa Barbara in January, 1842. Soon thereafter he resolved on opening a seminary over the mountains at Santa Inés. A grant of six leagues was made by the government for support of the college. Dr. Den was administrator of Santa Inés, and Archbishop Alemany, successor of Bishop Diego, continued him in that office January 2, 1851. As alcalde in 1844 Dr. Den gave juridical possession to Bishop Diego, for which it was promised him that during the existence of the college he would be remembered at the altar (Bancroft, History of California). The seminary met with ill success, and in 1854, with the approval of Archbishop Alemany, plans were laid for a seminary at Santa Barbara, and the Den home in town was purchased for the college.

Bishop Diego having made it known that he did not intend to remain in Santa Barbara, Dr. Den was foremost in promoting a memorial petitioning him to make the town his permanent residence. Twenty-three prominent citizens signed the memorial, among whom was Dr. Den. Santa Barbara was chosen for the episcopal see (Fr. Engelhardt).

For his charity in harboring Edward McGowan, a fugitive from the Vigilantes of San Francisco, the doctor became known throughout California. He was criticized for his kindly act, though when

McGowan was given a fair trial before a jury on the charge against him by the unlawful association, he was acquitted. The judge was Judge McKinstry and the jury a body of citizens of Napa County. Dr. Den then regained the confidence of the public. McGowan wrote a book on his experiences in Vigilante days in San Francisco. The title: "Narrative of Edward McGowan. Including a Full Account of the Author's Adventures and Perils, While Persecuted by the San Francisco Vigilance Committee in 1856."

McGowan recalls when he was approaching Santa Barbara, "We came in sight of the Dos Pueblos, the residence of Dr. Nicholas A. Den, an Irish gentleman, who has resided in California a great number of years, and is one of the wealthiest, as well as one of the noblest men in the state." The doctor was then living on his hacienda, situated about three miles from the boundary nearest Santa Barbara. He was temporarily absent, and McGowan being recognized, the hunted man rode into the mountains toward Santa Inés, where he hid, all the while gleaning information about his pursuers from friendly residents of the vicinity and their Indians. Returning to the doctor's house, McGowan was hidden in a field of tall corn, where he lived for months, having been provided with a mattress, bedding, food, papers and books.

As a mark of gratitude, McGowan dedicated his book to Dr. Den in superlatives:

> This book is respectfully inscribed to Nicholas A. Den, M.D., of Santa Barbara County, California, whose kindness to the author may be said to have transcended the charity of the Good Samaritan in that he did not confine himself to the discharge of a merely Christian duty, which brought with it his own reward, and naught of danger to the doer, but fearlessly braving the insane clamor of the multitude, and listening only to the voice of unselfish and chivalrous compassion for the hunted and the helpless, nobly sought him out from the inhospitable wilderness and bravely sheltered him from the fury of a cruel mob. That length of days, prosperity and happiness, may be his is the heartful hope of his ever grateful and firm friend, Edward McGowan.

McGowan's book notes that when the doctor had moved his residence from the town to his rancho, Don Nicolas spent his Sundays at Santa Barbara, whither he went to mass at the old mission church, and where he waited until evening for vespers. The fugitive missed Catarina, the doctor's eldest child, when her father had taken her back to the convent of Notre Dame at San Jose, as she had been his interpreter while the doctor was away from home on business. She was then eleven years of age, and the only member of her family that could speak English.

How long Dr. Den practised his profession at Santa Barbara is not known. He did not at once begin to practise medicine, nor is the date of his embarking in his profession at that place certain (History of Santa Barbara County). His daughter, Mrs. Susan Tyler, residing in San Francisco (1936), said he did not practise or pose as a physician beyond treating friends and members of his own family, for the good reason, no doubt, as Dr. Harris (California's Medical Story) observes there were but six hundred persons in his day at and near Santa Barbara. In fact, the people there were oblivious to the non-existence of doctor or dentist in their midst. In 1846, when Don Nicholas was living on his hacienda, Francisco de la Guerra, comandante of Santa Barbara, wrote the Governor of California he had been under the necessity of employing the surgeon of a British war ship, because there was urgent need of a physician in his vicinity.

Dr. Den was engaged in more remunerative occupation at the time while managing his rancho properties than if he were depending on an occasional patient.

Dr. Den came of good family, known as the Dens of Glenman, in his native land. He studied medicine in Dublin, at what college of medicine the histories fail to disclose. He did not receive the degree of M.D. like all graduates in medicine in Dublin, that honor not being won on graduation; and, indeed, the "Dr." was merely a courtesy title.

When a financial transaction swept away his father's fortune, young Den went to Nova Scotia, where a cousin had settled. In his diary on leaving his home in Ireland, as he was about to face the future abroad, he wrote: "It may be useless for me to insist that I left my native country with an unblemished character, which, I trust, shall ever uphold, no matter to what lands or casualties the Almighty may consign me."

His Nova Scotia cousin asking him to do menial work, the Dublin medico left in anger for Boston, where he shipped as a sailor on the American bark, Kent, bound for California. The captain promoted him to be ship's clerk, or supercargo. The bark reached Monterey after a voyage of one hundred and fifty-seven days.

Heartened by the kindly reception accorded him by Spanish residents of Monterey, Dr. Den decided to live among them, whatever fortune might betide. A sympathetic Spaniard informed him of Santa Barbara and its delights, its society and the prospects for him in ranching or business there; and more than mere advice, he gave the young doctor a handful of silver coins. Den went to the south.

Den was a guest of Daniel Hill, who later was his father-in-law. The meeting with Hill was a fortuitous event in his life. Hill, a native of Boston, had sailed from his home port into Santa Barbara as captain of the Boston ship, Rover, in 1822. The vessel having been sold to the Mexican government, Hill stayed ashore; nor did he ever return to the sea. He married Rafela Luisa Ortega, a direct descendant of Jose María Ortega, the Spanish commander who established the Presidio of Santa Barbara, discovered the Bay of San Francisco and the Carquinez straits, and was military guard to Padre Junípero Serra and pathfinder to Portolá.

A daughter of Daniel Hill, Rosa Antonia, was married by Dr. Den. In the courtship, according to Mrs. Susan Tyler of San Francisco, the last survivor of the Den children, in a statement to the writer, her father could not speak a word of Spanish, while her mother was not familiar with English; yet the young couple joined hands, and so love had found a way. The marriage was solemnized at Santa Inés Mission, because the Hill home was in Santa Inés parish. When the couple reached the home at Santa Barbara, they found the house prepared for the bride's reception by Doña Francisca Estudillo de Aguirre and Doña Ramona Wilson, wife of Captain John D. Wilson and the young widow of Captain Romualdo Pacheco (Katherine Bell. Swinging the Censer).

Mrs. Katherine Bell, the doctor's eldest daughter was the first of her family to speak English, having acquired a proficiency in the foreign tongue at the Notre Dame Convent in San Jose. In her later years she contributed articles to a Santa Barbara paper on her reminiscences of the old town. These articles were compiled by her daughter, Mrs. Katherine Bell Cheney, and published in a limited edition for the family in 1931. The book, "Swinging the Censer," is redolent of the glamorous period of pastoral California, and for delicacy of thought and gracefulness of expression, as well as for its beautiful idealism, it ranks among the most charming contributions to Californiana.

Glimpses of life, as she recalled it in Santa Barbara, are preserved in the book. The exclusive social circle in old Santa Barbara, of whom she tells, comprised the families of the Spanish grandees, her own family, James W. Burke and Doña Josefa de Burke, and also some other European and American residents, A touch of color is lent by her description of a celebration on the occasion of the arrival of the United States ship Constitution, when the ship's officers were entertained ashore and they gave a ball and banquet on board in return. Her mother, Doña Den de Hill, "was dressed for the visit in light blue satin, with oriental amethysts gleaming on her neck and ears, a gold comb and heavy nut-brown braids resting like a diadem on her graceful young head." Her father, Don Nicolas, was in full dress. The carriage was waiting at the door to take them to the shore. She went out to the ship—a child—and was carried up the ladder by a young officer. In her memory the evening lingered, as she wrote, "the baile and banquete were the most brilliant events of old Santa Barbara's dreamy and romantic social life."

Near her father's house stood the residence of James W. Burke, where today is the center of Santa Barbara. She refers to the Burke home as the residence of Doña Josefa Boronda de Burke. Recalling the birth of her baby brother, she was taken to Doña Josefa's home. When the infant was baptised, little Catarina was the central figure at the christening ceremony, in which she was impressed with an interesting custom of her time—el bolo—the making of gifts to the officiating priest and to the children. Manuela, Doña Josefa's daughter, handed her a crystal plate with five esquineadas (fifty-dollar gold pieces) and a note, "El bolo de su Señoria" (the offering to His Lordship) which she was to present to Bishop Alemany, who had just baptized her little brother. After the ceremony, Catarina was spirited back to the Burkes.

Mrs. Bell pictures her father's house as "a large square, one-story adobe building with a broad porch on two sides, supported by heavy square pillars, the windows, long broad and deep with wide wooden shutters, the front door wide and massive, with narrow windows on either side. A wide hall ran through the center. The sala and dining room were on either side of the hall, opening into other rooms. There were large open fireplaces with andirons, which were figures in bronze representing Pizzaro in one and the Inca in the other. The kitchen and dispensa (store room) and the men-servants' quarters formed a separate building. The house had a tapanco (attic) reached from the outside, where every kind of supplies was stored, having been bought wholesale from ships from Oahu, Callao and Valparaiso. Immediately from the rear porch, on both sides ran a six-foot adobe wall roofed with shingles and enclosing a patio, except for a double gate fastened with heavy iron bars. It was a roomy, bright, pleasant home, breathing plenty and hospitality from every pore.... With the exception of the beautiful Aguirre mansion—a rare exotic in its way—the Den house was the most conveniently arranged, the pleasantest home in old Santa Barbara town" (Katherine Bell).

His second home, the casa built by him on the Dos Pueblos hacienda, was even more pretentious, and, with an increasing family, no doubt, much more commodious.

A pleasing picture of society at Santa Barbara in 1841 is painted by Sir George Simpson (Narrative of a Voyage to California Ports in 1841-42): "Among the light-hearted and easy-tempered Californians, the virtue of hospitality knows no bounds. They literally vie with one another in devoting their time, their homes and their means to the entertainment of a stranger. This we found to be more particularly the case in Santa Barbara, where accommodations were pressed on our acceptance in almost every house; as we were unwilling to lose an hour of the agreeable society of the place, to say nothing of the discomfort of embarking and disembarking through surf and shallows and seaweed, we gladly distributed ourselves among our friends for the night. Next morning we met at Mrs. Wilson's breakfast table, and immediately afterwards, having been provided with horses through the attention of Doctor Nicholas A. Den, a true son of Erin, we started off for the old Mission Santa Barbara, about a mile from the town."

With a few friends, Don Nicolas succumbed to the lure of gold in the placers; all were young men and the expedition was but a diversion from the ranchos and home, though at most it was an adventure, and at that not a pleasant one. So they soon returned to amass greater wealth on the land. In the gold mines he was in partnership with Judge Louis Dent of St. Louis, Missouri, and Stockton, a brother of General U. S. Grant's wife, Mrs. Julia Dent Grant. In the "History of Santa Barbara County" is found a statement to the effect that the discovery of gold at Coloma brought twenty times as much gold to the rancheros as they had been receiving for their cattle when sold for their hides; and the new demand for beef cattle "Brought one long gala day to Santa Barbara." With other ranchers, Dr. Den participated in this temporary era of prosperity, which added materially to his wealth.

In an early edition of the history of Santa Barbara County the birthplace of Dr. Den is given as Waterford County, Ireland. Eldredge (History of California) names Kilkenny County. He was familiar with the Den family and consulted with them regarding historical facts dealing with Santa Barbara; and the family relates that the doctor came from Kilkenny, the adjoining county, and that one of his sisters was married to the Marquis of Waterford, and another sister lived in Paris.

Don Nicolas was a charter member of the Society of California

Pioneers and a member of a prominent club of San Francisco, where he was an intimate friend of the city's leading men.

As he approached the end of his years he owned ten thousand head of cattle and the ranchos Dos Pueblos, Cañada del Corral, San Marcos and Tequepis; and he was also lessee of the College rancho of Santa Inés Mission at a yearly rental of three thousand dollars.

In disposing of his lands to his heirs, he invariably made a reservation in the deeds, reserving to the grantees the right to mine for petroleum. While crude oil, resembling asphaltum exuded in places, as it may be seen today, still how he reached the opinion some years before his death in 1862 that petroleum was to be found on his properties has been a source of wonder to geologists of the present day. Oil has been found on some of his ranches, and litigation has followed involving the validity of the reservations made by the doctor. His ranches had a total area of approximately seventy-thousand acres.

Writers of California history gave Don Nicolas recognition of his noble qualities. Eldredge's brief comment (History of California) must suffice: "Don Nicolas became a very prominent citizen of Santa Barbara, held several public offices, was a man of the highest reputation, and left an enviable record of service to his state and community. . . . His honesty and generous nature gained him many friends, while his great influence was ever exerted for the betterment of those around him."

Ten children survived him. They were Katherine, who was married to John S. Bell of Santa Barbara; Mary, the wife of Thomas R. More of Santa Barbara; Rosa, who died in 1874 at the age of twelve years; Susan, who became the wife of Edward Scott Tyler, editor of the Literary Digest in its best days, whose father was Professor Moses Coit Tyler of Cornell University. Mrs. Tyler (1935) is the only surviving child of the doctor. Her daughter was then a physician at a British hospital in India, and her son was living in San Francisco. The Don's sons were Nicholas, William, Alfredo, Alphonso and Augustus Den, who were well known throughout California.

Chapter VIII

The First Foreign Physician

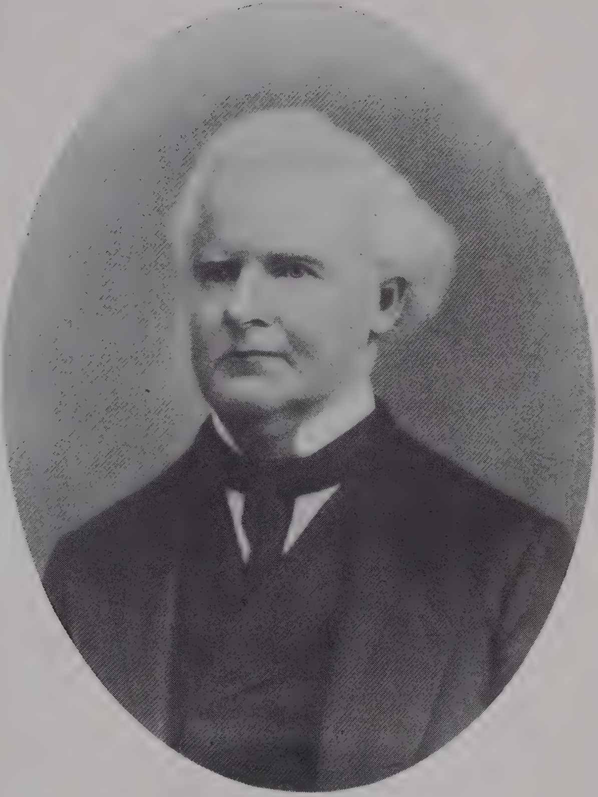
DURING the Mexican period, California was a land of fascinating contrasts. The primitive settlements, or pueblos, were little more than groups of scattered adobe houses, set against open unpaved spaces. Outside, to a stranger, these modest habitations were lacking in comparison with ideals of old homes, while inside, in some of them at least, an aroma of Spanish culture lingered, as, indeed, it did in the open wherever the scene was graced by the presence of the señores. Over all was the beauty of California, an appealing climate, an atmosphere of charm, greeting the visitor from afar. To a discerning stranger it was confusing, as Dr. Richard Somerset Den felt on entering Santa Barbara.

In fact, the doctor discovered himself in a dilemma after making a survey of his strange environment, due in a measure to these very contrasts. He had been drawn to California by brotherly love—to visit his brother, Dr. Nicholas Den, whom he had not seen for years—and that impulse gratified, he turned his face toward home in Ireland, wishing to live his old life in the social stratum of a practising physician. He wanted to go but could not get away for the reason there was no ship leaving to take him on the homeward journey. Between two extremes—life in the comparative wild, or a home among his old friends—while waiting for the ship that never came, he weakened under the witchery of Mexican California. He was not of the stuff that pioneers are made of. Among them, he was, himself, one of the same contrasts. He stayed, the first duly qualified foreign physician to settle in California; and pioneer though he was in fact, still a polished, cultured esthete to the end, almost a man apart, as his friend, Harris Newmark, business man of Los Angeles and author of "Sixty Years in Southern California," testifies.

Dr. Richard Somerset Den was born in 1821 in Kilkenny County, Ireland. His brother was Dr. Nicholas Den, considered in the last chapter. He received his diploma as a physician and surgeon in 1842 from one of the medical colleges in Dublin. Dr. George D. Lyman (The Beginnings of California's Medical History) says he was a medical graduate of the University of Dublin. Dr. Henry Harris (California's Medical Story) makes the same statement, which runs through earlier references to the doctor. The name of Den does not appear on the "Register of Students, Graduates, Professors and Provosts of Trinity College, in the University of Dublin" (Alumni Dublinenses, London, 1924). In Dr. Den's day, in addition to the medical college of Dublin University, there were in Dublin Hargrave's School of Medicine, the Irish College of Physicians, and the Royal College of Surgeons in Ireland (James J. Walsh, M.D. Makers of Modern Medicine). After graduating, he passed his examinations entitling him to licenses to practice in the various branches of the medical art.

He desired to wander and see the world before settling down to practice, and through family connections, he received a promise from Sir John Pirie, Lord Mayor of London, of a position on one of his ships. The young medico was impatient to be off and eagerly accepted a post on a Scot ship sailing out of London for Melbourne and India. While the vessel was in Sydney harbor her sailing orders were changed, the homeward route being to Valparaiso and Mazatlan, Mexico.

On reaching Mazatlan in July, 1843, he received the first word of his brother, Nicholas, in many years, and Santa Barbara being so near, he made up his mind forthwith to resign his berth and join him. Two months later he was at the hacienda of Don Nicolas at Santa Barbara. On the voyage to Australia his ship was a passenger vessel, and he was the surgeon. On the return voyage, however, she was but a freighter that legally did not need a doctor (An Illustrated History of Southern California. Chicago, 1890).



Dr. Richard Somerset Den
The first foreign physician to practice
medicine in California

Courtesy of the California Historical Society

"With his coming, California received the first foreign physician possessing a medical degree. He developed occasional outside interests, but by many Californians and for some fifty years he continued to be solicited and respected as a talented physician. Endearingly he was called 'Don Ricardo'" (Henry Harris, M.D., California's Medical Story).

A writer in "The History of Los Angeles County" calls the doctor "the Nestor of the medical fraternity of Los Angeles County." His presence in Santa Barbara becoming known in Los Angeles within a few months after his arrival, the doctor was called to Los Angeles to perform several surgical operations. After the operations he returned to Santa Barbara. The operations were so successful the leading citizens, native and foreign, petitioned him to return and remain in Los Angeles, and he accepted the call. From that month in 1844 he devoted himself to the practice of his profession, with the exception of a brief period in 1848, which he spent in the placers, and about twelve years, from 1854 to 1866 on the San Marcos rancho, until his death in 1895 (Dr. George D. Lyman. California and Western Medicine. A publication of the California Historical Society).

Dr. Den's reply to the petition was that he had not yet made up his mind to stay in California, but, if he did, he would make his home in Los Angeles. This answer, it seems, was given in Los Angeles, for the account of his movements then is he returned to Santa Barbara, and thence to Monterey to attend to official business. In July, 1844, he finally decided to remain in California with Los Angeles as his home.

"It is of record that Dr. Richard Somerset Den in obedience to the laws of Mexico relating to foreigners, did present his diploma as physician and surgeon to the government of the country, March 14, 1844, and that he received special license to practice from said government" (History of Los Angeles County).

Dr. Den was chief surgeon of the Mexican forces in the Mexican War of 1846-1847, opposed to the Americans. Governor Flores urged Captain Gillespie, in command of the American garrison at Los

Angeles, to appoint a surgeon in behalf of the American wounded. The captain requested the doctor to act as surgeon to his men, and Dr. Den complied and had the wounded moved to town for treatment. Bancroft relates that the soldiers on both sides were taken in from Boyle Heights and all were treated by Dr. Den; and also, when Thomas Larkin, U. S. Consul, was taken prisoner of war to Los Angeles, he received such kindly treatment and hospitality from the doctor and his brother, Don Nicolas Den, Larkin published a card of thanks in The Californian, addressed to the leading figures in the district, and to the brothers Den.

Dr. Richard, young and venturesome, could not resist the call of the placers, so in 1848, he organized a party and trecked to Sullivan's diggings in Calaveras County. It appears the nuggets were not so large nor so plentiful as reported; the expedition proved a failure. For the doctor, however, it was a success. There were injuries and fevers and with gold at five or six dollars an ounce, the doctor took in more than one thousand dollars in one day for his fees (Dr. Harris. California's Medical Story). Even then he remained at the mines but a few months, life there palling on him, and regardless of the demand for his services as a physician and surgeon in the camp, he moved to San Francisco. That was in 1850, when he and six other men organized the Society of California Pioneers at a meeting in the office of D. M. Howard.

Soon after his visit to San Francisco he returned to Los Angeles and resumed the practice of his profession. Four years later Dr. Den went to Santa Barbara and engaged in cattle raising on the San Marcos rancho, which he had bought for seven thousand dollars from Governor Pico. The ranch was the property of Santa Barbara Mission before secularization. He lost the land and his money when the United States Circuit Court decided the governor did not have power to sell the rancho. In 1866 he retired from ranching and resumed practice at Los Angeles, where he lived the remainder of his life.

By all accounts of his contemporaries, Dr. Den was always a notable figure in Los Angeles. Harris Newmark (Sixty Years in Southern California) leaves this picture of him:

"Old Dr. Den will be remembered not only with esteem, but with affection. He was seldom seen except on horseback, in which fashion he visited his patients and was, all in all, somewhat a man of mystery. He rode a magnificent coal-black charger, and was himself always dressed in black. He wore, too, a black felt hat; and beneath the hat clustered a mass of wavy hair as white as snow. In addition to all this, his standing collar was so high that he was compelled to hold his head erect, and, as if to offset the immaculate linen, he tied around the collar a large black scarf. Thus attired and seated on his richly caparisoned horse, Dr. Den appeared always dignified and even imposing."

One of his associates, Dr. Walter Lindley, recalls him as "impressive," adding, his "magnificent black horse was always groomed to perfection and Don Ricardo himself at all times was dressed as though he were going to a wedding; but he never attended his own, and died at an advanced age, a bachelor." Still another note by Dr. Lindley: "He never made a visit for less than twenty dollars."

Davis (Seventy-five Years in California) who knew the doctor, noted "he was commonly known in Southern California as 'Don Ricardo'—a man of learning and universally respected."

The "History of Los Angeles County" relates: "Many of the Spanish people in old times, and some even now, have such faith in Dr. Den's skill that their oft-expressed confidence in him crystallized into this proverb: 'Despues de Dios, Doctor Don Ricardo' (After God, Doctor Richard)."

Dr. Den was a votary of the royal sport of horse-racing. Breeding race horses was a hobby of his, and he had his own favorites, bred on his farm at Santa Barbara, taken to his stables in Los Angeles. In this connection it was said of him that he raised the standard of blooded stock in early California.

Chapter IX

An Overlooked Pioneer

ONE of the most prominent men historically to come to California in 1843, is the classification given by Bancroft (History of California) to Jasper O'Farrell, the civil engineer who laid out San Francisco as the city is today and set the boundary lines of most of the great ranchos, or land grants, in the contiguous territory. With O'Farrell are included by Bancroft in the same list, Gannt, Hastings, Hensley, Reading and Swan, the last named because of his fame as a writer of pioneer reminiscences.

Bancroft comments: "It is remarkable that concerning a man so prominent and well known as Jasper O'Farrell, there should be so little definite recorded information." The historian, in his estimate of O'Farrell, did not look far for facts regarding O'Farrell's career in California. For there is an abundance of material hidden away in the records still waiting to be uncovered respecting him—historical material at that, available to the searcher. Some day the story of O'Farrell may be written with sufficient factual data to assure interesting reading for a full volume.

His work was in no wise spetacular for the reason that it represented mostly solving of engineering problems, making of maps and accomplishing things unnoticed. But few incidents accentuated his activities during the closing years of the Mexican régime and the stirring times of the American pioneer, when he was a conspicuous frontier figure. From all that may be gathered about O'Farrell, it is plain he was not a fortune-seeker, nor did he betray signs of any inclination to gratify promptings of vainglory. He laid down his engineer's lines in a wilderness for both Mexican and American authorities, and those lines are there today, having a definite legal existence in the books of law and the records of many counties about the Bay of San Francisco.

It was Jasper O'Farrell that gave San Francisco the plan of a city, unique but in harmony with the topography of the place. It was he who decided on cutting the town in two, on a bias. His decision was a prophecy.

O'Farrell was born in Dublin, Ireland, in 1817. Some writers place the date as 1822. The San Francisco newspapers at the time of his death, November 16, 1875, gave his age as fifty-eight years, and according to that statement, the year of his birth was 1817. He was appointed a member of an English surveying expedition to the Pacific Coast of South America in 1841. After a year along the South American coast, his ship lay at Valparaiso. He left the company of engineers and sailed north to Mazatlan, Mexico, and on October 20, 1843, he reached Yerba Buena on a United States coast survey ship. A different account of his advent in the Bay of San Francisco is given by William Heath Davis (Seventy-five Years in California):

"In 1843 or '44, a young Irishman, named O'Farrell, deserted from an American whaleship lying off Saucelito, having been employed as a cooper on board, and went to the Mission San Rafael, then under the charge of Timothy Murphy as administrator. From there he went to Bodega, bought a large tract of land, and engaged in cattle raising. He subsequently assisted as civil engineer in the survey of a portion of San Francisco as laid down on the present official map. Afterward he was elected to the State Legislature from Sonoma County; for one term held the important position of State Harbor Commissioner; and Jasper O'Farrell's name is prominent in the history of the State."

Davis' narrative appears to have the infirmity of a memory weakened by years, since it is manifestly erroneous in various particulars, for O'Farrell did not buy his first rancho, and there are records showing he was the chief engineer in the survey of San Francisco and the best authority supports his landing from a United States survey ship, October 20, 1843 (Quarterly of the Society of California

Pioneers, 1932, article by Helen Putnam Van Sicklen, and "Bay of San Francisco").

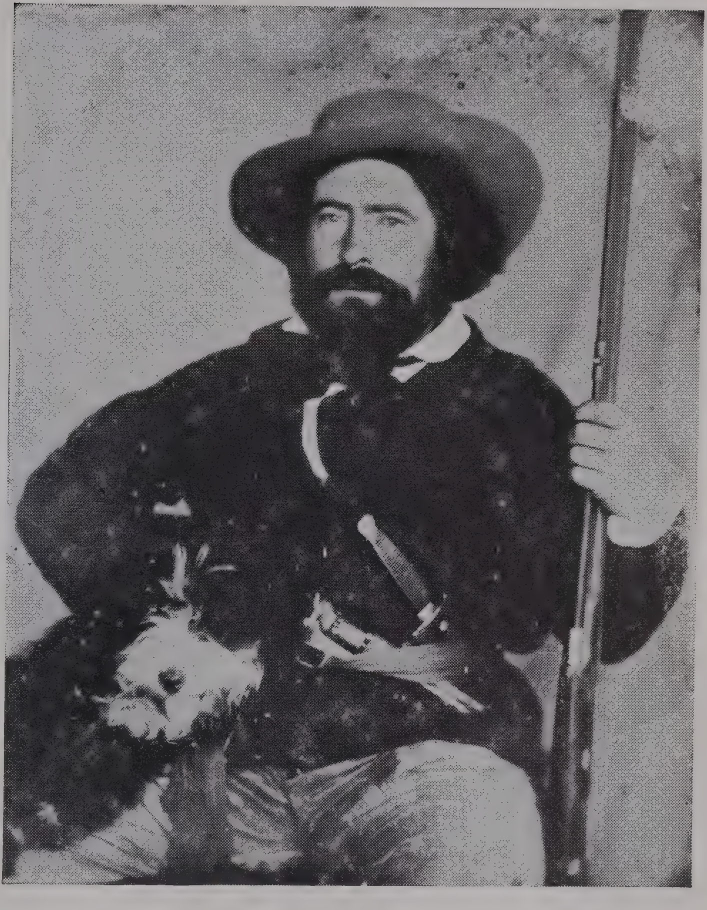
One year after his arrival he was in the service of the Mexican government as engineer and surveyor of Spanish and Mexican land grants, or ranchos in the vicinity of San Francisco. There were no fences on the grants, and the boundaries were designated by reference to natural objects, such as streams, trees, rocks and hills, the lines being run without more certitude. O'Farrell's survey maps have since been regarded as the foundation of rancho bounds in law actions involving titles and boundaries. He worked for that government during two years and retired to engage in other surveys. In part payment for his services as surveyor he was granted a ranch in Marin County in 1846.

When Governor Mason assumed office, one of his first acts was to appoint three official surveyors, William B. Ide, Jacob R. Snyder and Jasper O'Farrell, who, it was hoped, would be able to adjust disputes between land owners by definitely locating boundaries of granted ranchos. While this work may not seem important at this day, still in Governor Mason's incumbency it was one of the really essential problems as part of organizing the new state.

At this time the front page of the Californian, a little weekly paper issued in San Francisco, carried the surveyor's card:

Jasper O'Farrell
Civil Engineer and Land Surveyor
By Appointment of Col. R. B. Mason,
Gov. of California
Office, Portsmouth Square, San Francisco

O'Farrell and Ide were assigned to the region north of San Francisco Bay, while Snyder was given the territory to the south of the city. O'Farrell made extensive surveys in Sonoma County, where his maps are still of record. He was allowed one section out of every twenty sections laid off by him in that county under an agreement with Thomas C. Larkin, United States Consul at Monterey. The Sonoma map shows much sobrante land (areas not previously sur-



Jasper O'Farrell
the man who laid out San Francisco

From a Daguerreotype in the collection of the Society of California Pioneers

veyed and unclaimed between the boundaries of Spanish grants). O'Farrell found wide open spaces in that county, which he laid out in the American method of sections. In addition to these United States sectional surveys he placed lines for many Spanish grants in connection with his work over the sobrantes. Government maps and court records are authority for this brief review of his work in Sonoma.

The first American Alcalde of Yerba Buena was Washington A. Bartlett. In 1847 one of his first acts was to provide for a survey of the little town. He employed O'Farrell to enlarge the survey made by Jean Vioget in 1839, which covered a small area between Montgomery Street at the water's edge and Grant Avenue and a few blocks north and south of Clay Street. O'Farrell had scarcely placed his instruments on the ground when he discovered that Vioget's streets, instead of crossing at right angles, as had been intended, varied two and one-half degrees from right angles. His first care was to correct the error by changing the streets running east and west to comply with the correct lines. This change was known as "O'Farrell's swing." Fortunately there were but few houses affected by the change (Hittell. History of California).

O'Farrell next proceeded to enlarge the survey to North Beach, and west to Taylor Street. On the south he adopted a radical change by laying out the southerly part of the city diagonally in relation to the original plan. In recognition of his services, the Alcalde and council, or citizen's committee, named O'Farrell Street as a tribute.

The growth of the community in 1847 made such an impression on the inhabitants, public opinion was definitely formed in favor of extending the limits of the sprawling settlement, thereby assuring sufficient building sites for homes and business structures. In deference to the expressed wishes of the people, General Stephen W. Kearny, Military Governor of California, granted by decree to the town all beach and water lots between Telegraph Hill and Rincon Point, saving therefrom some lots for the Navy. Alcalde Edwin Bryant, Bartlett's successor, immediately made an order that these lots be surveyed. Negotiations over the proposed survey had been in progress between O'Farrell and the alcaldes from December, 1846, evidently in anticipation of the decree. O'Farrell was chosen for the survey.

Since the beach and water lots were not immediately available, popular demand for extension of the city map resulted in an official resolution to provide more lots for future development. Again, O'Farrell was called on and the work of extension went to him. It was then he conceived and laid out Market Street, cutting the checker-board map diagonally and opening a direct route to the Mission Dolores settlement—all obviously in consideration of the difficult topography of San Francisco with its more than seven hills. He arranged the blocks on the south side of the main artery parallel with it; and thus San Francisco was set for all time by this youthful Irish engineer. The facts here stated regarding his work in San Francisco have been taken from Eldredge (The Beginnings of San Francisco), Hittell, Bancroft, John S. Hittell (History of San Francisco), and official sources.

O'Farrell's triumph will always be Market Street. Charles Warren Stoddard (Footprints of the Padres) was fascinated by it. He tells why: "Down through this Happy Valley ran Market Street, a bias cut across the city that was to be. Market Street is about all that saved the city from making a checker-board of its ground plan. Market Street flew off at a tangent and set the south portion of the town at an angle that is rather a relief than anything else that I know of."

The San Francisco "Examiner," March 13, 1935, published a leading editorial on Market Street—a fitting, if long deferred recognition of O'Farrell's ideal. It is not significant that an editorial writer of this day should speak of surveyors in his article, since there was but one—O'Farrell. And yet it may suggest the propriety of erecting in Market Street a bronze plaque giving credit to O'Farrell for his achievement. Says the Examiner:

"The early surveyors who plotted Market Street as a broad line from the waterfront, aimed at the dent between Twin Peaks, showed rare prescience.

"Most cities come by their main artery by accident, but Market

Street was laid out to be San Francisco's axis, the great thoroughfare, broad central, convenient as a road from which other streets radiate.

"Market Street ranks among the great thoroughfares of the world. It is broader than Broadway, but serves the same central purpose that New York thoroughfare does.

"It is a street which should be honored, for it will ever be the 'Main Stem' of San Francisco, the trunk of the city tree from which other streets spring as branches or foliage. The street is the most vital part of San Francisco."

In this regard, the present writer in his younger years enjoyed the friendship of Bryan Clinch, author of "California and Its Missions," who had been an intimate of O'Farrell. Both men came from Dublin, and it was evident that a warm bond of sympathy existed between them. He spoke kindly of his friend as "Jasper." One anecdote of his made a lasting impression. With slight variations it was repeated by a member of O'Farrell's family to the writer, who recalled the incident. O'Farrell had a narrow escape from the fury of a pioneer mob, so quickly and so easily formed in that distant day. When the engineer had completed his map of Market Street and the southern part of the city, what was regarded as the abnormal width of the proposed street, excited part of the populace and an indignation meeting was held to protest against the plan as a wanton disregard for rights of land owners; and the mob, for such it was, decided for lynch law. A friend warned O'Farrell, before the crowd had dispersed. He rode with all haste to North Beach, took a boat for Sausalito, and thence put distance behind him on fast horses in relays until he reached his retreat in Sonoma. He found it discreet to remain some time in the country before venturing to return to the city.

For his first three years in California he was steadily engaged in the engineering field, and it was not until 1846 that he married and made his permanent home. His wife was a daughter of Patrick McChristian, an immigrant of 1845, who figured in the Bear Flag party and spent some time among the gold seekers in the placers.

McChristian, too, returning from the mines, settled in Sonoma County.

O'Farrell was ambitious of possessing a princely estate, so he exchanged his Mexican grant in Marin for the Jonive grant, near Sebastopol, Sonoma County, in 1848. Upon this land he built his home, and took up his residence there, moving from San Rafael. Shortly thereafter he acquired the Estero Americano rancho, near Bolinas, which had been originally taken up by James Dawson, an Irishman, and Edward M. McIntosh, a Scot, who arrived in California in 1824 and 1822 respectively (Hittell). The ranchos adjoined each other, and O'Farrell was lord and master of an imposing estate, on which he bestowed the name of Annaly, the title of the ancient Gaelic patrimony of the O'Ferrals, now known as Longford in Ireland.

In organizing Sonoma County, the township in which Sebastopol is situated, was called Analy. As doubt has existed over the correct spelling of the name, it may be stated that Annaly is proper (MacGeoghegan, History of Ireland; Woulfe, Irish Names). Incidentally, the ancient name of the family was O'Ferral, with variants, however, and not as now generally used.

Regarding O'Farrell's own land estates, about which there has been but little recorded in the histories, the following facts are given as found in the "Appendix to Hoffman's Report of Land Cases, as Determined in the U. S. Court for the Northern District of California," published in 1862:

> Jasper O'Farrell, Claimant for Cañada de la Jonive, 2 square leagues in Sonoma County, Granted February 5th by Pio Pico to James Black; Claim filed March 2nd, 1852, confirmed by the Commission April 18th, 1853, by the District Court July 16th, 1855 and appeal dismissed December 22nd, 1856, containing 10,786.51 acres. Patented.
>
> Jasper O'Farrell claimant for Estero Americano, 2 square leagues in Sonoma County, granted September 4th, 1839 by Manuel Jimeno to Ed. Manuel McIntosh; claim filed March 30, 1852, confirmed by the Commission April 11th, 1853, and appeal

dismissed February 2nd, 1857; containing 8,849.13 acres. Patented.

Jasper O'Farrell, claimant for Cañada de Capay, nine square leagues in Yolo County, granted May 2nd, 1846, by Pio Pico to Santiago Nemesis and Francisco Berreyesa; claim filed April 13, 1852, confirmed by the Commission August 14th, 1855, by the District Court March 2nd, 1857 and appeal dismissed April 2nd, 1857; containing 40,078.58 acres.

These official figures of his land holdings aggregate 59,714.22 acres.

Among his correspondence this letter, now in the museum of the Society of California Pioneers, was found by his daughter:

New Helvetia, August 24, 1844.

Mr. Farrell,
Dear Sir:

I contemplate cutting a canal from the American Fork to lead the water to my establishment. I wish to commence operations soon as possible. Before doing so, however, would be pleased that you would make an examination of the premises, and inform me what modes would be the most advantageous to make the excavation, probable costs, etc., as I have been informed you are a suitable person to apply to for such information.

If not particularly engaged would be glad you would come up as soon as convenient. Very respectfully,

Your obdt. svt.
J. A. Sutter.

What O'Farrell did in response to Sutter's request is not known. Four years from the date of the letter gold was discovered in the millrace, or canal, from the south fork of the American River, which no doubt was the "fork" referred to in the note.

That he had other association with Sutter is mentioned by Hittell and Bancroft. In 1844 with Sutter, John Townsend, William Dickey, Isaac Graham, Edward McIntosh, S. J. Hensley and John Bidwell, O'Farrell signed his name to an order for arrest of Charles

M. Weber, because, as they claimed, Weber had aided the Californians against Santa Teresa. In the typical Mexican squabble between Micheltorena and the Californians, Alvarado and Castro, Sutter organized an expedition of two companies of infantry and cavalry with O'Farrell as quartermaster. The little army of some three hundred men, including a company of Indians, marched south to San Fernando, fought at long distance and suffered defeat. An armistice was declared in 1845 favorable to the influx of foreigners. There were other troubles in the following year between the Mexican authories, but O'Farrell took no part in them (Hittell. History of California).

With his father-in-law, Patrick McChristian, Jacob P. Leese, William Leary and Samuel Norris, he went to the placers from Sonoma in 1848. The party was the first to dig for gold on the Yuba River. In three months the combined profit was seventy-five thousand dollars, but O'Farrell wearied of the mines and returned to Annaly. During the ensuing ten years he made no appearance in public life, and then, in 1858, he was elected to the State Senate from Sonoma and Mendocino Counties. Later he was a member of the State Board of Harbor Commissioners in San Francisco. Chosen on the Democratic ticket as candidate for Lieutenant Governor, he was defeated by Stanford, Republican. O'Farrell's party suffered defeat because "Douglas Democrats" deserted to the Republicans to express devotion to the Union in that year, 1861.

Since the foregoing was written three letters of O'Farrell were brought to the notice of the writer through the courtesy of the clerk of the United States District Court in San Francisco. They had been filed away as exhibits in the claim of Abel Stearns of Los Angeles, a historic figure in Southern California, who laid claim to six hundred varas square at the Mission Dolores in San Francisco. Owing to a defect in the title the U. S. Land Commission rejected the claim (Judge Ogden Hoffman's Report of Land Cases).

In one of the letters, O'Farrell, with prophetic vision, predicts San Francisco would be "the Empire City of the Pacific."

The letter of June 12, 1847, is endorsed by the court clerk: "Gaspar O'Farrol Carta Junio 12, 1847, relativo a terrano en S. Franco. No. 262." It is interesting to note that an attache of the United States Court in 1860, made notations in Spanish. The translation is, "Letter June 12, 1847, relative to a land holding in San Francisco." This letter, in letter-head size, was folded and fastened with a seal, after the manner of the time, to obviate the use of an envelope. It is addressed to "Abel Stearns Esq. Angeles pr Mail," and it was delivered to Stearns. In the mail, or otherwise, the paper was mutilated where the seal had been fixed.

Another letter, not dated, was endorsed by the court clerk, "Mairo, 1847," probably for Marzo (March), as it was received by Stearns who answered it on April 9. It contains the first information about O'Farrell's activities about the Bay of San Francisco, his surveying the town of Benicia while working on the San Francisco plan, coupled with the inclusion of a map of the bay. The name, Francisca, which he wrote, had been proposed, is the feminine in Spanish for Francisco; it was abandoned because of possible confusion with San Francisco, and in its stead was taken the second name of Francisca Benicia Vallejo, the wife of General Vallejo.

The letters are given here in full.

Abel Stearns, Esqr.
Dear Sir:

I hope you have escaped all misfortune during the late troubles in your part of the country. Previous to the war breaking out I wrote you and hope you received my letters. I have to repeat to you my thanks for the trouble you have taken in regard to the papers of my farm; however, I am all right, having purchased Berreyesa claim.

I have got some extensive surveys to make here, particularly in the vicinity of the bay. I am now laying out the city of San Francisco and another city on the straits, named Francisca, belonging to Gen'l. Vallejo and Dr. Semple, to which I wish to attach a map of the whole bay with soundings. I remember having seen a survey of the bay with you, I therefore write to solicit a loan or a trace of this from you. I shall take care of it and at the same time obligate myself to return a finished map of the bay and adjacent country to you. By having that will save me the trouble of a survey; therefore you can judge the favor you will confer by letting me have it. If I can be of any service to you this way, you will please command. I am sorry my expedition to the north was not earlier—it should have been had I known the turn of affairs.

I am, Dear sir, yours respectfully,

Jasper O'Farrell.

P.S.—You can give the map to Capt. Libbi or Smith, who will bring it to me.

June 12/47.

Abel Stearns,
Dear Sir:

I have to acknowledge the receipt of your favor of the ninth of April ulto. together with the accompanying map of the bay, for which allow me to return my thanks. I shall, as soon as I have time (being now rather pressed) make you a finished copy.

I have been so engaged as not to be able as yet to make a survey of your claim at the Mission, but I shall at the end of this week do so and act as you direct in every respect.

You have no idea of how fast the town, or rather city, of San Francisco is improving—houses springing up in every direction, wharves being built, etc., etc. I have no doubt of it becoming one day, and that not very distant, the Empire City of the Pacific. Every day brings fresh arrivals from the Sandwich Islands—men of respectability and capital. The Pukes and Hoesers have already given way and are as usual retiring before civilization. I have just completed the survey of a new city at the Straits of Carquinez—Dr. Semple and T. O. Larkin, proprietors.

I think if you would divide your land here in lots of from one hundred to fifty varas, you could sell them at an advantage. I shall do it by hearing from you. The town authorities are having lots surveyed as far as Mission Creek . . . one hundred varas square, the most of which . . . and they are disposed of as soon . . . some have sold as high as one hu . . . llars, and I . . . no doubt but that I co . . . get at least the . . . price for every one hundred vara lot where your land is situated.

Let me know your opinion of this, and believe me yours truly and respectfully,

Jasper O'Farrell.
San Francisco.
July 12/47

Abel Stearns Esqr.,
Dr. Sir:

I have located your claim at the Mission and shall send you the corresponding documents in a few days.

If you feel inclined to dispose of the property by informing me to that effect and letting me know the price in money, I will, if not unreasonable, become the purchaser.

I am respectfully,

Jasper O'Farrell.

No sooner was O'Farrell established in the cattle business than he took precautions against possible "rustling" by recording his cattle brand in Los Angeles. His reasons do not appear. Possibly the Los Angeles record was known in Southern California over a wide area and stolen cattle were watched for brands throughout the state. Here is the certificate as recorded in Marin County in 1849:

This is to certify that this, the tenth day of April, A.D., 1849, Jasper O'Farrell presented for registry an iron, the figure of which is marked on the margin, which iron was registered in the book of archives of the city of the Angeles the 22nd day of Ferbruary, A. D., 1846.

I do therefore by these presents and the power in me vested, give him, the said Jasper O'Farrell, full and sole power to use said iron to brand cattle and horses in the district of San Rafael.

Given under my hand and seal, in my office at the Estero Americano, this tenth day of April, A. D., 1849.

Manuel E. McIntosh
1st Alcalde, San Rafael.

His statement as a witness of the shooting of De Haro and Berreyesa by order of Colonel Fremont at San Rafael in 1846 made such an impression that it is printed in full in Davis' "Seventy-five Years in California," and Eldredge's "Beginnings of San Francisco." Respected Californians, unarmed, were shot on Fremont's order as they approached the old Mission building. Concluding his bold statement, O'Farrell wrote: "I must say that I feel degraded in soiling paper with the name of a man, whom, for that act, I must always look upon with contempt and consider as a murderer and a coward."

From various sources come stories of his hospitality. In the Quarterly of the Society of California Pioneers, Helen Putnam Van Sicklen writes: "His generosity to his friends and to his church was boundless, and, according to his daughter, he was at times hard pressed, for his house was always filled with people who had no homes and no incomes of their own."

In a letter to his daughter, whom he always addressed as "My dearest Elena," telling of a disastrous fire in the mines October 26, 1875, he concluded with these beautiful sentiments: "Many and many are they who went to bed last night believing they were rich, who woke poorer than the poorest. Such, dearest Elena, is the evanescent quality of the world's riches. Let it teach us to lay more store, more thought, on the wealth of the next, that once obtained can never pass away." (Letter in the archives, Society of California Pioneers).

He died suddenly in San Francisco, November 16, 1875, within three weeks after this letter was written. It was his last note to his daughter. Noble words from a kindly, loving, God-fearing father. Let them be the measure of the man who penned them.

Among O'Farrell's papers was an unpublished manuscript of his obviously intended as an introduction to an article on Irish settlers in and near San Francisco. It came to the possession of Mr. Edwin Grabhorn, who kindly lent it to the writer. Since the first part of it may be interesting as a message from the past it is reproduced here:

"California, at the present time, gives but an idea and has but a faint resemblance to what it was when the good missionary priests of San Francisco, the rancheros and Indians were its sole occupants and lords of the soil. Then we looked out and beheld nature in its most lovely, wild and attractive forms—a wide expanse of undulating, rich and well-watered plains and valleys, unfenced, untilled, groves and noble forests, oak, pine and cedars, yet unculled by the settlers, and numerous herds of cattle and horses, little removed from the wild state of nature, the only living objects evidencing man's proximity.

"Sixteen years have elapsed, and we look again, behold the change. A landscape checkered with smiling farms, homesteads and villas, and dotted with cities, towns and villages, busy with the hum of industry. The missionary is still here in no way differing with his predecessor of old in courageous self-denial and devotion to holy church; but that it is, for the most part, the souls of white men and not Indians he is solicitous. The latter as well as the old ranchero have nearly disappeared. California is in full possession of the white man, and embraced within the mighty area of his civilization."

Present descendants of Jasper O'Farrell enjoy the distinction of having five generations of their family tree in California. When Jasper O'Farrell became settled here he brought out from Ireland his mother, Mrs. Mary O'Farrell, who lived with him in Sonoma until her death, March 26, 1869. Her son, Jasper, had several children, one of whom, Gerald O'Farrell, was living in San Francisco in 1935. Another son was the late John J. O'Farrell, whose son is Jasper O'Farrell II, a bank official who is a great-grandson of old Mrs. Mary O'Farrell. Her great-great-grandson is John O'Farrell Gleason, whose mother is a sister of Jasper O'Farrell II.

CHAPTER X

Transition

JUST as the first trains of pioneers began pouring into California from the east, the period of transition from the Mexican to American ownership and control of California gradually manifested itself in the written records of the province. Alcaldes and other officials of the dying gobierno made entries in English as well as in Spanish. There was, too, a tendency in matters involving the strangers from beyond the Sierra Nevada to hold court proceedings of a minor nature in their own tongue before naturalized alcaldes, while Mexican officers in some cases were inclined to acquiesce rather than to raise issues with the preponderating people of the north. In higher official circles there was uneasiness, and that was all, save for some frontier filibustering, while the modus vivendi was still typically Mexican—mañana.

While the California archives are not available, having been burned in San Francisco in 1906, still there is enough evidence in their stead in corroboration in offices of county recorders, the Bancroft Collection and other sources. Marin County records alone leave no room for doubt on that score. There are in those records copies of documents in both languages recorded before California became American territory. Those venerable books, carefully preserved, afford a true picture of the period with its inevitable approach to a change in the fate of California. Reference to the subject by Judge Dwinelle (Colonial History of San Francisco) is supported by a pathetic footnote, written by R. C. Hopkins, custodian of the state papers after the American occupation. The Hopkins note follows:

"I have ever looked upon these dusty papers with a certain feeling of reverence as the records of a people that will soon pass away, and leave nothing save these, and a few crumbling adobes, to tell that they ever tilled the fertile valleys of California, and covered her hills and plains with their flocks and herds. And, too, the perusal of these records always inspires me with that feeling of sadness, which, to the thoughtful mind is inseparable from a contemplation of the changes wrought in human life by the ever onward flight of time; and this feeling is still deepened by personal intercourse with the wretched remnants of the race, who are now almost strangers in the land where their fathers herded their cattle upon a thousand hills, and bounded their lands by mountain and river. Indeed, I can scarcely imagine a more melancholy picture than that presented by the elder portion of these people, those who remember the grand old days of the Viceroys, as they wander through the crowded thoroughfares of our city, with a kind of Rip-Van-Winkle stare, bewildered and lost, amid the changes wrought by a progressive race. No wonder that they sigh for the pastoral quiet which they and their fathers enjoyed before 'Revolution, Democracy, Liberty and Progress' were heard in these remote regions—the good old halcyon days—'EN TIEMPO DEL REY!'

"Alas, grey-haired old men! the age of pastoral simplicity which nourished your childhood and youth has passed away, and given place to one in which mankind struggle one with another, as the warrior does with his foe upon the battlefield. In this contest you can take no part, for you are no match for the fair-haired children of the north, who now occupy the land where your fathers are sleeping, their rest disturbed and broken by the shriek of the steam engine, and the heavy tread of the iron steed! Has the change added to the aggregate of human happiness? 'Quien sabe'" (Who knows?)

In the official records of Marin County is a little book labeled "Alcalde Grants," a relic combining the old and the new in California history. This precious volume is something apart from the county records, and as such it is regarded with more interest as written evidence of the past than the books beginning with the letter A, the first one of the American period.

Several grants by the Alcaldes of San Rafael of lots in that pueblo, with grants from original grantees to others, the latter class having the approval of the Alcaldes, are recorded in the first pages of the well-worn volume. Then there is a copy of Governor Pio Pico's confirmation of sale, in Spanish, of the San Rafael Mission properties for $8,000, attested by the proper officials.

The only other transaction entered in the old book is the grant of land in the Rancho Las Gallinas, near San Rafael, from one Irishman to another—Don Timoteo Murphy to James Miller. The Murphy deed is the first one in English recorded in Marin County records. For fully three-fourths of the old Spanish book the pages are blank, as if the American Marin County officers in 1850 did not consider the volume an American document and abandoned it to begin anew with Volume A for the perfectly-kept records of their county.

The names, Timoteo Murphy, Jasper O'Farrell and James Miller appear frequently in records of grants in Book A, into which Spanish documents were copied in that language, scattered through the records in English.

Beside recorded copies of parts of expedientes, the deed from Murphy to Miller is in striking contrast, presenting the verbiage of ancient English deeds, now largely a memory in California. In it Don Timoteo "granted, bargained, sold, aliened, remised, conveyed, confirmed and released," to Miller part of his Las Gallinas rancho, containing six hundred and eighty acres, more or less. Omitting the engineering descriptions of degrees and allowances for magnetic deviation, the boundaries of the tract, in quaint language, begin at a "white oak tree with six notches, standing upon the north bank of the arroyo Gallinas, and on the west side of the public road leading from San Rafael to Sonoma, and running thence by and with said public road 250 perches to a stone, now planted on the west side of the aforesaid public road; then still southwest 527 perches to a live oak tree marked with six notches, standing on the top of a ridge of the mountains, and thence southeast 240 perches to the middle of said arroyo Gallinas." The distance between the center of the arroyo and the oak tree upon its north bank is not indicated in the deed.

The date of this first deed in English made in Marin is November 8, 1850, while in a biographical sketch of Miller the year is given as 1846. It may be an agreement to buy the land had been entered into in 1846, when Miller took possession, and the grant was not formally made by Murphy until four years later.

Mr. Frank Sutton of San Francisco, a descendant of Don Timoteo in the collateral line, says the transaction was a gift from Murphy, which is quite possible, since Murphy might have chosen a deed of bargain and sale in preference to one of gift. He adds that when Miller arrived at San Rafael, he was met and welcomed by the Don, who was delighted at seeing a countryman there. The two men exchanged confidences, and when the Don was told that Miller had come from near his old home in Wexford County, Ireland, Murphy eagerly offered him a homestead near by. The gift was accepted—six hundred and eighty acres, a few miles north of San Rafael on the Petaluma highway.

James Miller was one of the earliest pioneers to arrive in California overland. He immediately went upon the land and helped to develop the real wealth of the state. He was born in Wexford County, Ireland, May 1, 1814. When he was a lad of fourteen years he went with his parents to Canada. The family settled at Frampton, thirty-six miles from Quebec, where they lived until 1841. While on the Canadian farm he married Mary Murphy, who was a native of his county in Ireland and crossed the ocean with her brother, Martin Murphy, Jr. (no relative of the Don) in the same year as her husband. At the time of his marriage he was twenty years of age. Among his neighbors was Martin Murphy, Sr., his father-in-law, who later organized the Murphy-Miller party that arrived in California in 1844. Some of the California historians call this company the Stevens party, because one of its members, Elisha Stevens, had been elected its captain.

The Millers and Murphys, with their children, tired of the northern climate and life on the Canadian farm. In 1841 they migrated to Missouri, there to renew their efforts to gain a livelihood from the soil. Three years later they wearied of this second attempt, whereupon they agreed to cross the country with California as their goal. Their experiences on the long trail may be found in a subsequent chapter on the Murphy-Miller party. They completed preparations for the perilous journey and by this time Miller was the father of four children. The elder Murphy was accompanied by his own children and between them they started with a train of thirteen wagons.

As the party halted on the Sweetwater to rest, make repairs and lay up a sufficient supply of dried buffalo meat, a daughter was born to Mrs. James Miller. The camp where the interesting event occurred, being near Independence Rock, a landmark of the trail in Wyoming, the baby was given the name of Ellen Independence—for years a familiar one in local social circles, in which Miss Miller was conspicuous.

Upon their arrival in California in 1844, near the headwaters of the Yuba River, they camped for the winter. Finally, following the Bear River, they reached Sutter's Fort in the spring of 1845. Just one month later Miller, looking about him for a likely place of settlement ended his travels at San Rafael.

The deed to Miller, being the first conveyance of land in Marin County under the American rule to be recorded among the official records of the county, was considered worthy of comment by Bancroft (Chronicles of the Builders) and by "The History of Marin County." Having read the deed in the County Recorder's office at San Rafael, the present writer can confirm the statements of both historians. It was noted that while Murphy's first name is written Timoteo in many of these Spanish records, in which the engrosser spelled his name as D. Timoteo Morfihy, possibly because he did not understand the sound of "ph" in English, still in the Miller deed, the given name is spelled Timothy by Murphy. Here was transition from the Spanish to the English as a matter of record. Perhaps the grantee, Miller, recognized as a careful man in business, was fearful of his grantor using the Spanish name in an American document.

From the date of his first deed, Miller steadily acquired more and more land until he was owner of 8,000 acres in the county, as well as real property in the town of San Rafael, The Index to Deeds in the County Recorder's office shows he bought, between 1850 and 1870, fifteen farms in addition to his original grant, placing himself on an equal footing with grantees of Spanish ranchos.

For his home he built a long adobe house, fashioned after the prevailing style of the passing haciendas. In time, the adobe was replaced with a mansion to which he gave the name of Miller Hall—so reminiscent of pretentious residences of the old country. Miller Hall is described in the "History of Marin County," published when the house was at its best, as "a dwelling of magnificent proportions, beautifully situated about four miles from San Rafael on the high road to Petaluma. It is a square building, massive in appearance and commodiously apportioned into convenient apartments. From the broad verandahs, which surround the edifice, a grand view of varied scenery is obtained, while the house stands the central figure of tastefully laid-out grounds and well-wooded groves."

One of Miller's bold ventures, which has been noted in the books, was his enterprise when he picked one hundred and fifty head from his herds of steers in 1849 and drove them to the placer mines. At the mines he slaughtered the cattle and sold the meat at one dollar a pound. He returned to his home in 1850 and lived there till his death. One experience driving cattle across California and butchering in the Sierra foothills was enough for him, so he confined himself to ranching at home. In 1864 he engaged in dairying on an extensive scale, with herds of cows ranging his hills and valleys. San Francisco was the market for his dairy products, and for carrying on this business a station, Miller's, was maintained near his barns on the Donahue railway, now the Northwestern Pacific railway. At the station, passenger trains stopped going both ways to load milk for San Francisco and to unload empty cans returned from the city.

After Miller's death his family continued to live in Miller Hall. In affluent circumstances, cultured, gifted with a well-balanced education in the best schools of the day, their company was courted in the exclusive circles of Marin and San Francisco. This writer has it from an old and intimate friend of the family that an atmosphere of refinement prevailed at Miller Hall. Even in the externals of the place there was an expression of nice taste. There was a formal garden in front of the mansion with palms and other exotics well placed for accent, and in the center of a circular drive a fountain played and sprayed before the entrance. One of the family, Miss Fannie de C. Miller, was a writer of some standing and a contributor to local magazines. In a verse appearing in "A Chaplet of Verse," edited by Rev. D. O. Crowley, she describes Santa Margarita rancho, or valley, as "Valley, fairest of the fair."

A group of local capitalists purchased the rancho from the Miller heirs in 1929, and their name faded into a memory, where once, and not so long ago, the Millers were grandees of Marin.

CHAPTER XI

Home in Yerba Buena

ALTA CALIFORNIA was still Mexican when venturesome Americans began appearing in their "prairie schooners," as strange to the natives as men from Mars. Their coming disturbed the dreamy existence of the province. The Mexicans saw them settle down among themselves, as if these strangers believed they owned the land and they were not foreigners on a foreign frontier. It was all very disturbing, very mystifying, even though the old dons might have discerned, however dimly, the handwriting on the wall. Only those natives could think, what a maze, and for a solution—mañana (tomorrow). To them it seemed Alta California was not really all it had been before the Missions were "secularized"—that is, confiscated—and the delicate balance of the original governmental plan shattered by the greed of the governors. They could have realized—if they thought it worth while to reason—that the spiritual values had weakened and the government itself commenced to betray signs of decay.

The peace of the province was disturbed by revolutions, and at this juncture, even the strangers were confused at the spectacle of Americans participating in a quarrel between two factions of the Mexicans battling for control. The time was 1841-1846. Finally the Mexican flag was furled and the stars and stripes were flown from the masthead at Monterey, July 6, 1846. California was taken for all time as an integral part of the United States. Three days later the commander of the United States ship Portsmouth lying in the harbor of Yerba Buena sent a detachment of sailors ashore and, with fitting ceremony, raised the flag of the United States in Portsmouth square in a spot near the site of the present flag pole in the old center of San Francisco.

As if by magic, the pioneers found themselves in their own land—so far away on the Pacific from their old home.

The immigrants had begun arriving overland in 1841. A second train came in 1843, and still another, the Murphy-Miller, or Stevens party, arrived at the end of 1844. The advance portion of that group reached Sutter's Fort December 15, 1844. Among the Mexicans there were not a few who welcomed the strangers, for their own governmental system had long before lost that innate quality calculated to inspire patriotism. They had been living in a mist; their leaders were inarticulate. And they accepted whatever fate might bring them with the prairies cavalcades.

On the other side of the picture there was presented to these immigrants on their journey's end a band of Americans organizing as a sort of Wild-West army. The little force was in command of John Sutter at Sutter's Fort.

John Sullivan of the Murphy-Miller party volunteered for service under Sutter, with his friends of the overland trail, but he was soon back again with his party in their camp on the Yuba River. He proceeded to Yerba Buena (San Francisco) in the spring of 1845. The tiny settlement pleased him, so he made it his home, essaying various roles of teamster, trader, wood-cutter and dealer in firewood, and eventually capitalist, being one of the founders of the Hibernia Savings and Loan Society (Bancroft. Builders of the Commonwealth).

A native of Ireland, he was the first man of his race to build a home in Yerba Buena. Captain W. F. Swasey's "View of San Francisco, formerly Yerba Buena in 1846-7" shows Sullivan's first house at approximately Grant Avenue and Pacific Street, indicated on the "view" as number thirteen at the beginning of the trail to the Presidio. It was certified by General Vallejo, Colonel J. D. Stevenson and Alcalde George Hyde as a "faithful and accurate representation of San Francisco as it really appeared in 1847." In that year Sullivan bought the southwesterly corner of Pacific and Dupont Streets. He was then living on the lot, which was owned and possessed by the Sullivan estate until September 15, 1941, when acquired by the Housing Authority of San Francisco. When the "view" was drawn there were forty-two buildings in the village, including residences, storehouses, custom house, calaboose, school and hotels. The living accommodations were two hotels, one boarding house and eighteen dwellings. Montgomery, Kearny, Washington and Clay Streets, all but one or two blocks long, are the only streets in the picture with Montgomery Street on the shoreline.

In the first San Francisco Directory, prepared in 1846 by William H. Davis and printed in his "Seventy-five Years in California," is the record, "John Sullivan, wood-cutter and dealer, and two very young brothers." The Davis directory has the names of two Mexicans, wood-cutters, but not as dealers. They worked for Sullivan. With his two "very young brothers," and the Mexicans, Sullivan supplied the village with firewood from the scant growth of scrub oak on the hillsides. Sullivan's sister, Mary, who had come with him over the country, was married to Peter Scherrebeck, a pioneer of 1834, with whom she lived on the south side of Washington, between Kearny and Montgomery Streets. Their house is shown in the Swasey picture. Bancroft (History of California) states that Scherrebeck was a pioneer of 1834, built the house in 1843, and occupied it until 1848; and also that John Sullivan, his brother-in-law, lived with him from 1844 to 1846.

In the making of a new official map of the city in 1897, an issue was presented in a dispute as to whether Baker and Sullivan alleys in the Sullivan lot were open streets. Harry T. Cresswell, city attorney, in his "opinions," decided the alleys were opened by Sullivan for Chinese tenants but were never dedicated to public uses. The official opinion recites:

"These lots came to private ownership under alcalde grants in the year 1845. The original owners under the alcalde grants conveyed the lots to John Sullivan in the year 1847, who paid the sum of thirty-one dollars and twenty-five cents for the two lots of 275 feet frontage on Pacific Street and 137½ feet on Dupont Street. The title remained in John Sullivan from the year 1847 till his death in 1882, and from him descended to his heirs, and now (April 23, 1897), rests in the Sullivan Estate Company."

Sullivan left Ireland at the age of six years with his parents, who settled in Canada, where he lived until able to make his way in the world. He worked as a logger in Maine and moved to Missouri in 1842, where he stayed two years before joining the Murphy-Miller party (called by Bancroft the Stevens party and by Swasey the Townsend-Murphy party) then organizing for their journey to California across the plains and mountains. As a member of that party, more details of his connection with its organization will be found in the following chapters on the Murphy family, one of the remarkable groups of pioneers that made the lands of California "blossom as the rose."

He was connected with William A. Leidesdorff in 1846 in supplying whalers and other vessels touching port—a business of considerable importance. Most likely his activities in this line was furnishing wood for the ship galleys. Later on he engaged in teaming, of which he held a monopoly. In 1848 he conducted a general store on Sullivan's creek in Tuolumne County supplying the numerous miners there (W. F. Swasey. The Early Days and Men of California).

While there does not appear to be any record of his having engaged in mining, yet his name was given to various scenes of placer-mining activities in Tuolumne County. In a recent publication of the California Historical Society dealing with the correspondence of Jacques Antoine Moerenhout, Consul of France at Monterey in 1848, is found a note of explanation. The consul, describing the Stanislaus placers, noted that the most important for size and richness were those called Cañada del Barro (mud canyon) or Sullivan's Diggings. A miners' Directory in 1856 listed Sullivan's Creek, Sullivan's Wet Arroyo and Sullivan's Dry Arroyo as included under the Curtisville post office.

One might infer that Sullivan was not the type of pioneer that would gamble on gold in the gravels of the Sierras. He returned from the mining region with his business profits bulging in his pockets, and at once he bought up city lots with dizzy speed. As Swasey writes, Sullivan seemed to possess an almost prophetic intuition of the future of San Francisco, and he quietly invested in city downtown lands, buying fifty-vara and one hundred-vara lots for twenty-five or fifty dollars each; and this policy resulted in his becoming a millionaire. The Spanish unit of the vara—yard—was adopted by San Francisco in the early surveys. The fifty-vara lot has an area of 137½ feet square, and the one hundred-vara is 275 feet square.

Bancroft (History of California) and Swasey (The Early Days and Men of California) credit him with being a man of upright character, charitable and well known for his gifts to his church. Swasey continues, "His importance in the community that his great wealth conferred upon him never caused him to become arrogant or supercilious in the slightest degree, changed or altered his invariable modest and amiable deportment; to the last he was the same quiet, unassuming man that the author knew at the commencement of his career, when he was plodding for his daily necessities." The same author states the place where the Palace Hotel stands on Market Street was owned by him, and on August 1, 1850, he gave it to the Archbishop as a site for St. Patrick's church, adjoining the lot granted by Don Timoteo Murphy for an orphanage. Another notable gift by him and his wife is the land at the northeast corner of California Street and Grant Avenue, where old St. Mary's church and rectory are situated. In token of the gift the remains of Mrs. Sullivan repose in the crypt under the high altar.

He was an active promoter of the Hibernia Savings and Loan Society and its first president. The first meetings for the purpose of organizing the bank were held in his office at Grant Avenue and Pacific Street.

Sullivan was a life member of the Society of California Pioneers. His first wife was Catherine Farrely, whom he married in San Francisco in 1850. She died in 1854. There were two sons of this marriage, one of whom, Robert, died in 1882. The other son, Frank J. Sullivan, was born in 1852 and received his education at St. Ignatius College, San Francisco, and in England, and he graduated in law in Columbia Law School, New York. He was elected State Senator in 1882, practised law and eventually devoted all his time to management of the family properties. His wife was Alice Phelan, a daughter of James Phelan, the wealthy pioneer of San Francisco.

John Sullivan's second marriage was in 1860, when he married Ada E. Kenna. This union was blessed with ten children. Much of his time in his late years was devoted to their education. He died in San Francisco July 29, 1882.

CHAPTER XII

An Epic of the Trail

THE TIDE of immigration had now definitely set in, carrying with it through the Sierra passes the destiny of California for all time. With the Murphy-Miller party closely following two other pioneer trains from afar, that eventuality was clearly defined. They were on Mexican soil at the end of the trail, and yet their time was the early dawn of the day of America's extension to the shores of the Pacific. They made themselves quite at home, nevertheless, and proceeded confidently to find places in the California sun.

Of this third immigrant party, Martin Murphy, Sr., was the real leader—a rugged man of vision and determination, who for many years after his arrival in California, was regarded as the most prominent rancher of the Santa Clara farm empire. His example in going upon the land was followed by his sons, some of whom adventured in the mining regions only to return to farming. It has not escaped notice, by the way, that Irish pioneers in California, such as predominated in this group, with but few exceptions, chose ranching in preference to mining, trading or living in busy centers of population, then motivated by conditions, more or less disturbing to their philosophy. They could live upon their own lands unmolested, see their herds roam in lush pastures and golden grain fields promising prosperity; and, in such environment, contentment and peace were theirs, acceptable to them as the linnet's song in springtime.

Leading an emigrant train through the wilderness from the Missouri River to the Pacific slope, and bringing with him his children and grandchildren and daughters-in-law, to the number of twenty in all, Martin Murphy, Sr., stands alone, a patriarchal figure among the California pioneers. A man of sixty-one years, whose graying hair seemed to belie the vigor and rugged health so conspicuous in his face and figure, he braved the unknown that he might see his descendants happy and prosperous at the end of the trail.

Accompanying him were Martin Murphy, Jr., his eldest son, Mrs. Martin Murphy, Jr., and their children, James, Martin, Patrick W. and Bernard D.; his son, James Murphy, wife and their daughter, Mary; his sons, Bernard Murphy, John M. Murphy and Daniel Murphy; his daughters, Ellen and Mary Murphy; James A. Miller, later of Miller Hall in Marin County and Mrs. Miller, nee Mary Murphy, and their children. William Martin, father of Mrs. James Murphy; Dennis Martin and Patrick Martin, related by affinity, were in the party. In California, the family increased until it was said of the Murphys, they were the clan of the patriarch, Martin Murphy, Sr.

He was born in Wexford County, Ireland, November 12, 1785, where he spent his youth and early manhood. He married Miss Mary Foley, and a number of children were born to them in his native place. With such a large family growing up around him he determined to emigrate in the hope of finding opportunities for their welfare which would be denied them at home. In 1820 he sailed for Canada, leaving behind his eldest son, Martin, Jr., and his daughter, Mary. In the new world he chose Frampton, near Quebec, and began life anew on a farm.

Eight years later Martin, Jr., and Mary Murphy joined their father, but the son stayed in Quebec for several years and in 1831 married Miss Mary Bulger, who shared his trials and adventures through more than half a century. The young couple moved to Frampton on a farm adjoining that of Martin Murphy, Sr., and found themselves in a colony of their countrymen.

The climate and soil held no attractions for the colonists, and they moved to St. Joseph, Missouri. Hither and yon they sailed, the route being almost entirely over lakes and up and down rivers. From Quebec they went on the St. Lawrence to Montreal, thence across Lake St. Louis and by way of the river to Kingston; next across Lake Ontario, up the Niagara River to Lewiston and on to Buffalo, across Lake Erie to Cleveland, Ohio, and by canal to Portsmouth, Ohio, whence they sailed to Cincinnati and Louisville, from which latter place they continued down the Ohio River to Cairo, and still onward up the Mississippi to St. Louis, whence the final voyage was up the Missouri to the Platte colony.

In the new home a combination of untoward conditions caused bitter disappointment. There were no religious or educational facilities and the air was laden with malaria. Mrs. Murphy, Sr., and three daughters of Martin Murphy, Jr., died—victims of the fever. At this time the dazed colonists were visited by a missionary priest, Father Hookins, who had penetrated the wilderness on his mission work. He told the Murphys of all he had heard of a wonderful land on the Pacific—glowing descriptions that had come to him of fertile valleys and salubrious climate—and he knew of the Franciscans having taken civilization and the Faith to that country. In response to eager inquiries, he gave them a true picture of California, its approximate situation on the west of the continent, and also something of the route to be followed in reaching it—such information as he might have gathered from trappers and guides. The narrative impressed the elder Murphy, and when he expressed his approval of venturing on the journey to that luring land, all about him spontaneously agreed to accompany him.

Early in 1844 Murphy sold his farm, bought wagons, oxen, horses, provisions, clothing and equipment considered sufficient for the expedition. His sons and neighbors followed his example. They formed a large party as they assembled near the site of Council Bluffs. Elisha Stevens was chosen as guide. Martin Murphy, Sr., who organized the company, was aided by his eldest sons and James Miller. They traveled with a party bound for Oregon, and when the two companies parted, Murphy and Miller were both captain and guide.

Two days after the party had crossed the Missouri, they were in full swing westward. The next river was the Elkhorn, which was crossed in a rude ferryboat constructed from one of the wagon boxes, rendered water-tight with a covering of raw-hides. The other wagons were taken to pieces, and with their contents, were conveyed across the river in this improvised craft. After the wagons and contents were landed, the cattle and horses were forced into the river and led to the opposite bank—a tedious task.

Soon the train was out on the plains. Herds of young buffalo were encountered daily, so that the party were able to provide themselves with fresh meat.

The Murphy train halted at Laramie for a stay of days, resting, feeding their stock and trading horses for Indian ponies, which they believed would prove hardier and better adapted to the rough usage of the plains than the domesticated steeds. From the Indians they bought moccasins, to replace shoes already worn out.

During all their journey the company were never molested by the Indians, with whom they managed to maintain friendly relations, sometimes pitching their tents beside an Indian encampment, inviting the Indians to their own quarters, and making them presents of game, freshmeat, blankets and cast-off articles of clothing. At night sentinels were posted and a strict watch maintained until daylight; and thus with vigilance and considerate treatment of the Indians they suffered no harm while on the journey.

As provisions were becoming short, it was decided that before leaving the buffalo grounds an abundance of dried meat should be provided for the remainder of the trek. So the party encamped near the Sweetwater River in Wyoming at Independence Rock, while hunting parties went out to kill buffalo. It was there that a daughter was born to Mrs. James Miller, to whom was given the name of Ellen Independence Miller.

The younger men continued to hunt until they reached the summit of the Rockies, at which point the bison herds were no longer seen. The flow of the rivers now were toward California, and the worn wayfarers imagined they were nearing their destination. They little realized that the most difficult and painful part of their journey was still to come.

Descending into a valley, they moved forward and after a full day without water arrived at Green River. They were now in the country of the present Wyoming. A scouting party returning to the main body saw two mounted Indians on a near-by hill, and in a few minutes a horde of hundreds of redmen began surrounding them to the accompaniment of hideous yells and war-whoops. Daniel Murphy was the leader of his little band. Upon his advice a bold front was offered as the Indians approached. They had prepared to meet the assault, when twenty Indian leaders advanced and held out their hands in token of amity. They proved to be a band of friendly Shoshones, and a number of them accompanied the young pioneers back to the camp on Green River, where the Indians were kindly received and allowed to satisfy their curiosity by examining the camp.

A week's rest was enjoyed at Fort Hall, where the company paid one dollar a pound for flour and bade goodbye to the Oregon party. From that point the Murphy train turned southwest to the Humboldt River, which they followed for five hundred miles until they arrived at its sink only to find themselves reduced to drinking alkali water and driven to the conclusion that none of them knew which way to go. After much anxious debate they found an old Piute, with whom they were able to converse by means of signs and by drawings in the sand. He offered to act as guide, and told the leaders that about fifty miles west was a river, where the water and grass were good. Three of the party reconnoitered and reported his statement was true, whereupon his services were accepted and the whole train moved at once across the desert. To the old Indian was given the name of Truckee on account of his resemblance to a French-Indian they knew in Canada. After him were named the river and the Sierra mountain town of later years.

While teams were being harnessed and preparations for the departure were actively progressing, Moses Schellenberger of the Murphy party, then a lad of eighteen years, noticed a halter was missing from his wagon. Greatly irritated, the youth seized his rifle and pointed it at an Indian near his wagon. Just as he raised the weapon, Martin Murphy, Jr., rushed in between them and threw up the gun. Instantly there was wild tumult, Indians from an adjoining camp and white men crowding around in confusion. Through the wisdom of the leaders, however, the Indians were pacified and sent away loaded with presents.

The same day the company began the passage of the desert with provisions for two days and all the water they could carry, and they did not pause till midnight, when they halted at a boiling spring, later called Hot Springs station on the Central Pacific railway. A rest of but two hours was taken and they resumed the journey, knee-deep in alkali dust. Nor was a drop of water to be had except at the hot spring. When they came in sight of the river, whose banks were covered with a rich growth of green grass, it was necessary to unharness the horses and cattle, as otherwise the animals would have dashed into the water and wrecked the wagons.

A rest of two days was necessary after the ordeal of the alkali desert. The old chief's promise that he would lead the train to the refreshing stream, proving true, the party named the river Truckee in his honor. Now began the struggle against nature in a climb up the eastern declivity of the Sierra. As they ascended, the country became rougher and the hills sharper. Much of the time they were forced to travel in the bed of the stream, which was so tortuous that often they were compelled to cross it eight or ten times in a mile. Still it was imperative to press on, for it was now late in October, and already several light falls of snow had warned the company of the near approach of winter. The oxen had to be urged on constantly, or the worn animals would have fallen. The men had to walk in the water to force them forward. While struggling up the mountain a fall of snow about one foot deep covered the ground. The footsore oxen would stand and bellow for food all night so piteously, the immigrants would forget their own misery in their pity for the animals. Still the party toiled on till they came to an open place at the fork of the Truckee, where there was good feed for the animals. Camp was pitched there, the site of the town of Truckee.

Daniel and John M. Murphy, Miss Ellen Murphy, Mrs. Townsend, her servant, Francis and Oliver Magnet, impatient to reach the other side of the mountain, went ahead on horseback up the main stream.

Daniel Murphy, who was riding some miles in advance of the others, came upon Lake Tahoe—the first white man to gaze upon its placid waters. He at once rode back to reveal to his companions his glorious vision lying beyond in their path. Soon they stood in rapture, resting and reveling in its natural beauties. Thence they made their way to the headwaters of the American River. Descending the banks of the river, after many great difficulties and suffering, though without loss of life, they arrived at St. Clair's rancho, safe at last in California. In the meantime the main party with the wagons followed the little Truckee to Donner Lake, where they halted for a few days' rest.

But one mountain now lay between them and California, and this seemed an insurmountable barrier with the snow two feet upon the ground nearing the end of November. Two days were spent in scouting for an opening when one appearing practicable was discovered. Fortune favored their choice.

Before the company began the ascent, Dr. Townsend, who with his brother-in-law, Moses Schellenberger, had brought a large quantity of silks, satins and broadcloth with the intention of selling them in California, determined to leave the property at Donner Lake and to return for them after winter, when they would carry them on pack mules over the mountain. Schellenberger volunteered to remain as their custodian. Joseph Foster and Allen Montgomery kept him company. They built a cabin, which was later occupied by Patrick Breen of the Donner party. Their food supply dwindled and starvation faced them. Foster and Montgomery left, leaving their companion behind, because he was too frail to move. In February, Dennis Martin, alone, went to the rescue of Schellenberger, struggling along with a pack of food over the same route subsequently taken by the rescuers of the Donner party. He brought Schellenberger out alive after nursing him from a state of collapse.

The main party succeeded in crossing the mountain summit, bringing with them their wagons and cattle—a feat described by the historians as the most remarkable of all almost superhuman struggles of desperate men scaling the Sierras. Twenty miles down the western slopes brought them to the headwaters of the Yuba River. Winter caught them there; the snow hiding the dangerous terrain and compelling them to make camp to await the dawn of spring, yet they were resigned to the delay, because they were in California. They had their wagons, animals and full equipment and were otherwise fairly well provided with necessaries for the prolonged season in the Sierra foothills.

Bancroft notes: "The Murphy party was thus the first to open a wagon trail across the plains to California, their route being mainly traversed by the Union Pacific railroad in later years. They were also the first to cross the Sierra by way of Truckee and Bear Rivers; and their train contained the first emigrant wagons that ever made tracks in California soil."

Rumors reached the camp of "civil war" in California with the Mexican authorities opposed to the Californians. Believing their families would be safer under the established government, whatever it might be, than at the mercy of revolutionists, the Murphys set off to Sutter's Fort to join a military company organizing there to aid Micheltorena. James Miller with a few men of the party stayed to care for the women and children in camp.

The Murphys marched with the American riflemen toward Southern California. While scouting with a party of fifteen near Carpinteria, John M. Murphy, a boy of nineteen, was taken prisoner with the other scouts. They were detained five days and released on parole. A few days later the Murphys were permitted to rejoin their families, for whom they feared, because of possible hunger and the cold of the mountains. Returning, they procured provisions at Monterey and resumed their long ride to the Yuba. Their arrival was happy for all concerned as the camp larder was bare.

During the absence of the volunteers, the second momentous event of the Murphy train occurred—Elizabeth Yuba Murphy was born to Mrs. Martin Murphy, Jr. She was the first native daughter of California of pioneer parentage (Bancroft). Elizabeth was the wife of William P. Taaffe, one of the leading wholesale merchants of San Francisco in the next generation.

Regarding the claims of priority of birth among native daughters of California, it may be recalled that Rosalie Leese, born in Yerba Buena in 1839, was the child of a native Californian, not of Pioneer stock.

The party again united broke camp and following the Bear River reached Sutter's Fort in March, 1845. Bancroft (Chronicles of the Builders) commenting on the journey quite overlooked the fact that the Murphy party on arriving at Sutter's Fort, had two more pioneers than when they had left Missouri.

"The Murphy party are said to have been the first, or at least the most successful, in getting through with ease, and bringing their wagons with them safely over the mountains. It was their good fortune, owing chiefly to their good management, to conciliate the Indians all along the route and at the eastern foot of the Sierra Nevada to procure the willing service of an old chief, who called himself Truckee—for whom they named the river they followed up—to pilot them across into the Sacramento valley. Soon after their arrival at Sutter's Fort, there was born to the wife of Martin Murphy, Junior, a daughter, whom they named Elizabeth; and she is said to have been the first child of American overland immigrants born in California" (Hittell. History of California).

In the main, this chapter is taken from Bancroft's "Chronicles of the Builders of the Commonwealth," published while members of the Murphy family were alive, and undoubtedly, the facts stated had their approval. Much of it, however, is found in Bancroft, "History of California" and Hittell's History, and in the histories of Santa Clara, San Mateo and Monterey Counties.

CHAPTER XIII

A Patriarch Leads

WHEN springtime came to California, the Murphy-Miller party, sojourning at Sutter's Fort, began preparation for separation. The leaders held a council and decided to move away in individual groups and find permanent locations for the future. Parting brought its penalties, affectionate farewells were taken and intimate friendships severed at the end of the trail. In his sixty-first year, Martin Murphy, Sr., with his large family about him, aptly likened to a patriarch, moved to the fair valley of Santa Clara, where he spent his last twenty years. The family stayed a while at San Jose when he sought a new home place. He selected a site about twenty miles south of the old Pueblo, giving it the name of San Martin, which name it still bears—a town on highway 101, between San Francisco and Los Angeles.

Frederick Hall (The History of San Jose) relates that Martin Murphy, Sr., on arrival at San Jose was accompanied by five sons and two daughters—Martin Murphy, Jr., wife and four children; James Murphy, wife and one child; Bryan, John, Daniel, Ellen, later Mrs. Weber; James Miller and wife, formerly Mary Murphy; also that the Patriarch settled on the Rancho Ojo de Agua de la Coche, which comprised two square leagues, and that he added to this grant by acquiring extensive tracts adjoining it. Immediately after taking possession he built his adobe residence at San Martin.

"Surrounded by his children, he prospered, living in patriarchal abundance, with his flocks and herds, his lands and his numerous household. The Murphy house was the stopping place for all travelers on the highway; for he was known for hospitality cordially extended to wayfarers" (Bancroft. Builders of the Commonwealth).

On a walk from San Francisco to Monterey in search for material for his book, "El Dorado," published in 1857, Bayard Taylor spent a day and a night at the Murphy house, which he pictures as a home "nestling in a warm nook on the sunny hillside of a mountain spur, commanding a pleasant prospect." Taylor tells he had been introduced to Murphy by two visitors, who had enjoyed the hospitality of the Murphy hacienda, and further, that Murphy took him on horseback to an eminence from which the surrounding country was presented to his view. He writes of his experience as a guest:

"They introduced me to Mr. Murphy and his daughter, Ellen, both residents of the country for the last six years. Mr. Murphy, who is a native of Ireland, emigrated from Missouri with his family in 1843. He owns nine leagues of land (forty thousand acres) in the valley, and his cottage is a well-known and welcome resting place to all Americans in the country. During the war he remained on the rancho in company with his daughter, notwithstanding Castro's troops were scouring the country, and all other families had moved to the pueblo for protection. His three sons were at the same time volunteers under Fremont's command."

Taylor enjoyed a delightful evening, being made to feel completely at home as a friend of his host. In his book he concludes his reference to the visit by noting that the pleasant family circle was increased in the evening by the arrival of Rev. Father Dowiat, a Catholic missionary from Oregon, who contributed to the author's pleasure.

According to General Sherman, "United States army officers, no matter in what direction they were heading, would try to bring up at Murphy's house, where, they knew, they would have an enjoyable visit." Possibly, Ellen Murphy contributed to the officers' enjoyment and the pleasure of other visitors, as Bancroft says of her in the "Chronicles": "One member of the household, who added light to it in the eyes of all sojourners, was Ellen Murphy, a sweet and attractive girl, bright and witty and like a sunbeam, especially in a country where members of the gentler sex were so rare."

In 1854 Murphy built on his San Martin rancho a chapel and set apart a tract for a cemetery, which he conveyed in a deed of gift to the diocese of San Francisco. The chapel was dedicated under the name of St. Martin. It was destroyed by an incendiary April 2, 1877, as recorded in the History of San Jose. Murphy rarely left his ranch with its daily routine and the need of his personal supervision, to which he was devoted. So large had the ranch business grown it could not safely be left to subordinates. During his first ten years at San Martin he never missed a Sunday visit to San Jose, regardless of weather, to attend divine service (Bancroft. Chronicles).

Opportunities for highly profitable investments in San Francisco lots were appreciated by him in the early days of the city's growth. He bought continually, choosing lots in central parts of the city, and by mere enhancement value of these holdings, Murphy added immensely to his wealth. As his end neared, he sold a portion of this city property to his son, Martin, Jr., in order that the profits might be divided equally among his heirs. The younger Murphy was rich then and well able to pay prevailing prices for the land. Long before that time his father had given sufficient property to each of his sons to enable them to start in life's battle, retaining only enough to support himself.

When the purchase was proposed, the son demurred, saying he thought his brothers and sisters might not consider the price set by his father as sufficient or proportionate to the value of the property. The objection was withdrawn when his father exclaimed to Judge Ryland of San Jose, who was then writing the old man's will: "Is it possible that I have raised a son who will disregard a dying request."

In his declining years he had the gratification of seeing his daughters married to men of prominence in the community, and his sons respected citizens, where he had made homes for them; and they the proud possessors of approximately thirteen square leagues of land (more than fifty thousand acres) in the Santa Clara Valley. His son, Martin, Jr., at that time owned the ranchos Santa Margarita, Asunción and Atascadero, aggregating seventy thousand acres, and a ranch, near Lompoc, all in San Luis Obispo County, of nine thousand acres. The patriarch also beheld these estates dotted with herds of many thousands of cattle, and wheat fields ripening on the valley farms.

Retiring from active business he made his home in San Francisco, paying frequent visits to members of his family. He died at the age of eighty at the home of a son-in-law, Thomas Kell, near San Jose, March 16, 1865. His remains were followed to Santa Clara cemetery by a funeral cortége described by a contemporary writer as "an immense concourse of friends." Courts adjourned out of respect to his memory and business was suspended in San Jose during the funeral.

His daughter, Ellen, who had lived with him for years at San Martin, became the wife of Captain Charles M. Weber in 1850, one of the founders of the City of Stockton and also one of the foremost capitalists and citizens of central California. Another daughter, Joanna, born in Canada, came to California a few years after the overland party of 1844. She was the wife of John Fitzgerald, owner of extensive ranches near Gilroy, and the mother of Sister Anna Raphael of Notre Dame College, San Jose, eminent for more than a generation as an educator and writer; and also of Miss Marcella Fitzgerald, widely known as a poet and literary worker.

It is recorded of Martin Murphy, Sr., that, coming in daily contact with native Californians, he won their good will and friendship, despite their innate antipathy to the extranjeros coming upon their lands. Hall (History of San Jose) presents this picture of the man: "Martin Murphy, Sr., was a good man of temperate habits and of strong resolution. During his whole life he bore a most exemplary character. No man ever charged that he, knowingly, ever wronged another. He commanded the utmost respect of every person who knew him. His word was of equal value with his written obligation."

Chapter XIV

Riches in the Ranchos

NO SOONER had Martin Murphy, Jr., seen his father well settled in Santa Clara County than he began to search for a promising home for himself and his family. Returning to New Helvetia (Sutter's realm) and buying two square leagues of land on the Cosumnes River about eighteen miles from the present city of Sacramento, he built a comfortable house beside the river in 1845, where he lived until gold-seekers began to prospect along the stream. Before the miners crowded upon him, he had trained Indians to work upon his farm, and under his direction they planted and harvested wheat, cutting the grain with reaping hooks and trampling out the grain with horses. He produced the first wheat crops in the Sacramento Valley. In the "New Helvetia Diary, a Record of Events Kept by John A. Sutter, and His Clerks at New Helvetia, California, from September 9, 1845, to May 25, 1848" (published by the Grabhorn Press in arrangement with the Society of California Pioneers), there is a record of receiving at Sutter's Fort eleven wagons of wheat from Murphy's farm in November, 1847. Sutter's Diary mentions thirty-nine visits of Murphy at the fort, sometimes with horses or cattle.

The first schoolmaster in the vicinity of Sutter's Fort was engaged by Murphy for his children—Patrick O'Brien, an educated young Irishman who had come with Fremont's company for adventure, and was said to have deserted. He continued to teach until Lieutenant Sherman visited the ranch and arrested him for desertion. O'Brien was released and he went to the mines after teaching for a few years and disappeared.

Fremont on his march through California made the Murphy Cosumnes ranch his headquarters while resting his command and reconnoitering the vicinity.

"At his home on the Cosumnes was inaugurated the Bear Flag revolution" (Bancroft. History of California, VII, 740).

There, too, the first act of hostility was committed against the Mexicans. Lieutenant Arce, a Mexican officer, was driving a band of one hundred and seventy-five horses from Sonoma to San Jose and stayed at the ranch with eight men. Fremont intercepted the band of horses and captured them at the Murphy place. Murphy supplied Arce with horses—an act that preserved cordial relations between the Mexicans and the settlers (Eldredge. The Beginnings of San Francisco).

Bayard Taylor (El Dorado) was entertained by Murphy when the author was proceeding to the mines. Entering the house at night in a blinding rain storm, he relates, an Indian boy met him and tied his horse at a haystack. Mrs. Murphy gave him a cheering welcome as she baked biscuits and roasted beef for him on a wooden spit over the fire. He continues: "Mr. Murphy, I found, was the son of the old gentleman whose hospitalities I had shared in the valley of San Jose. He has been living three years on the river, and his three sturdy young sons could ride and throw a lariat equal to any Californian. There were two or three Indian boys belonging to the house, one of them, a stolid, shock-headed urchin, as grave as if he was born to be a 'medicine man', did all the household duties with precision and steadiness."

With the rush of argonauts into the placer mines in 1849, Murphy's land became a center of mining activities along the Cosumnes and its tributary creeks. He sold his two square leagues with a herd of three thousand cattle for a price that made him a rich man. Prices of beef raised in keeping with an unprecedented demand, while the land itself had attained a new importance. With the proceeds he moved to Santa Clara, where he acquired the Rancho Pastoria de las Borregas at the present site of Mountain View. He had reserved six hundred and forty acres of his Cosumnes ranch for a homestead, but as the tract was subsequently covered with mining debris, he sold it for a nominal sum.

The Pastoria ranch had an area of five thousand acres. As its new owner first rode over the rancho, it was carpeted with a rank growth of wild mustard—a blaze of golden yellow in the spring of 1849. Beneath the glow, Murphy felt was greater wealth than in the alluring sprinkles of gold in the placers; for his bent was farming, and even in the mining lands on the Cosumnes he did not turn kindly to mining.

General William T. Sherman (Memoirs) writes, while riding from Monterey to Sonoma, he camped on the Rancho Pastoria, near Mountain View, he heard a horse at night "crushing through the high mustard—bushes which filled the plain."

There was not a substantial frame house in the Santa Clara Valley when Martin Murphy, Jr., settled there. He planned a residence, which he had fabricated in Boston and shipped in sections round Cape Horn to San Francisco. The house was built near Sunnyvale, within view of the highway, and given the name of Bay View Farm. When the railway between San Francisco and San Jose was built, a station was established there and called Murphy's.

Stock-raising was carried on extensively by this enterprising pioneer, who gradually fenced his land in Santa Clara for great wheat fields. The land proved most productive, and with the market assuring high prices, Murphy increased his fortune, and in time he acquired two neighboring ranchos, adding ten thousand acres to the Pastoria ranch. He invested heavily in San Jose real property. He also purchased the Santa Margarita, Asunción and Atascadero ranches in San Luis Obispo County, aggregating seventy thousand acres, and the Cojo ranch of nine thousand acres near Lompoc.

"The Santa Margarita rancho of six square leagues was a grant in the Mexican régime to Don Luis Estrada. The ranch became a very notable one, because of the political conferences held there. It was within the adobe walls of Santa Margarita that the disturbing quarrel between Governor Pio Pico and General Jose Castro was patched up. The Santa Margarita was sold by the Estradas to Martin Murphy, who operated it as a cattle rancho. In 1930 a report showed that the great rancho was valued at $1,200,000. Still one of the show places of California, it has been in continuous operation as a cattle ranch" (Myrtle Garrison. Romance and History of California Ranchos).

With a party from Paso Robles the writer visited the rancho in October, 1939. The lady of the house was gracious in her reception. Evidently, she took a pardonable pride in the old adobe, saying the roof had an area of an acre. In front was a lawn surrounded with exotic trees, shrubs and flowers. The interesting interior, papered in quiet taste, boasted some good oil paintings credited to an artist of the Murphy period, and much of the furnishings likewise was attributed to the old owners—American walnut of seventy-five years ago. The windows were done in the latest Venetian blinds. The visitor was shown through the quarters where steers were butchered for the vaqueros, the spacious kitchen and store room and men's dining room. One of the salas was furnished as an office of the present owners, a wealthy corporation. The tile roof illustrated in Myrtle Garrison's book had disappeared to be substituted with a green asphaltum slate covering. But the old verandah remained where the Murphy family sat in happy hours.

In the earlier years of his occupancy of the Mountain View ranch, Martin Murphy, Jr., was troubled by squatters, who would move in on the land and claim ownership on the pretense that the ranch was public property. He would pay them a friendly visit and tell them that the land was a Spanish grant and that he held a patent to it from the United States court. He would then advise them to consult a competent lawyer and get an opinion on the title. In case the squatters made improvements on the property, he would recompense them. Mrs. Murphy gave them provisions and clothing and ministered to the necessities of the intruders. Bancroft notes this method of peaceful settlement was an almost solitary example of its kind.

Largely through Murphy's advice and financial aid, Santa Clara College and the convent of Notre Dame at San Jose were made possible. He was generous in his gifts to charities and these institutions, and it was mainly due to him that the Santa Clara church was reorganized in 1850 (H. S. Foote. Pen Pictures from the Garden of the World, or Santa Clara County).

When two pioneer sisters of Notre Dame came to San Francisco, Murphy drove them to his home along the Camino Real. The journey made by wagon to Mountain View came to an end with evening. The sisters received a warm welcome from Mrs. Murphy, their new affectionate hostess. Murphy offered to go security for any debts the sisters would be obliged to incur in building a school (In Harvest Fields by Sunset Shores, published by the College of Notre Dame). Among the first pupils of Santa Clara College were his sons, and the first students in Notre Dame Convent at San Jose were his daughters.

A most hospitable and charitable man, giving freely to the cause of education and the church, he was one of the most respected citizens of his adopted county and state (Bancroft. History of California).

There were seven children of Martin Murphy, Jr., before the family moved into the Bay View Farm home: Martin III, Patrick W., Bernard, Daniel, Elizabeth, Mary Anne and Ellen; James, born in the new home, adding the eighth child to the large family. Mary Anne was the wife of Richard T. Carrol, a prominent merchant of San Francisco.

One of his sons, Patrick W. Murphy, acted for his father as manager of the ranches in San Luis Obispo County, making his home in the adobe casa on beautiful Santa Margarita rancho. There are men still living in San Francisco who recall lavish entertainments by "Don Patricio" at Santa Margarita. On certain occasions, Patrick, whose appearance caused him to be regarded as a Spaniard, would gather his friends from as far away as San Francisco and Santa Clara to celebrations described as amazing. Hundreds of guests arriving by stage coaches and trains would be accommodated in a camp set up for the event. Rodeos by original vaqueros riding spirited horses, speed races and horsemanship would fill the day, while las jotas by Spanish dancers went far into the night between feasting at banquet tables in the open air and concerts, in which Mexican music and songs mingled with those of the Americans. Don Patricio did not count the cost.

Another son, Bernard—"Barney"—remained on the old homestead at Mountain View. He was the last of his generation. Barney was a lovable character, for he loved his fellow men and they loved him. He would not suffer any of the noble oaks on the old ranch to be cut down. The beauty of the valley should not be marred when he could save it from the axe. One of his pleasures was participating in politics—from the side-lines. He would run up to San Francisco every so often and meet his friends in the courtyard of the old Palace Hotel and chat with prominent men of the city. Edward F. O'Day, author, editor and raconteur, tells this story on Barney:

"Barney, how is it the Murphys did not make history like the Donner party?"

"Our group were not spectacular," Barney replied. "At least, they had the good taste not to eat one another."

In his declining years, Martin Murphy, Jr., leaned on an experienced rancher, Michael Farrell, in the management of his ranches in its various aspects. His confidence in his major-domo's executive capacity and knowledge of farming in that period placed Farrell in the position of adviser to the old rancher's sons. All went well for a while—that is, for some years, but at last, Santa Clara Valley was no place for great cattle ranges. The valley was transformed, imperceptibly as it were, into a vast orchard and small farms with its more picturesque foothills absorbed for villa sites for country homes of wealthy San Franciscans; and the Murphy family eventually faded into a pleasing memory.

CHAPTER XV

Argonauts and Ranchers

THE TRADITIONS of the Murphy family were well preserved in the brothers, John M. and Daniel Murphy. Pioneers of 1844, they bore their share of the burden accepted by frontiersmen in California. Their part in bringing the emigrant train across the country intact is told in the preceding narrative of that organization. Following the example of their respected father, the best within them was given to the adventure begun on the Missouri.

Their first years in California were lived under the Mexican régime, which, so far as indicated, made no special impression upon them. Two years were given to study of conditions affecting the future while they worked hard and favored ranching; and then, in 1848, the discovery of gold upset all their prior and conservative plans.

John M. Murphy promptly began a most lucrative career in the placers, while his brother Daniel, after a while in the mines, engaged in ranching, in which he was joined by another brother, James. The fraternal partnership proved highly successful, owning or controlling lands and herds, surpassed in magnitude only by the famed firm of Miller and Lux, their interests lying in California, Nevada and Mexico.

John M. Murphy, aged twenty when he arrived in California, worked for his future brother-in-law, Charles M. Weber, in the pueblo of San Jose. The business connection was the beginning of a co-partnership with Weber which resulted in wealth for both.

Soon after raising the flag at Yerba Buena by Commodore Sloat of the U. S. ship, Portsmouth, the Commodore sent an officer and twenty-five marines to San Jose to occupy the town. The officer returned, leaving the town in charge of a volunteer company under the command of Weber as captain and Murphy as lieutenant, who had meanwhile been commissioned in their respective offices by Commander Hull of the U. S. ship, Warren. They retained control of the pueblo of San Jose until a naval company in November of the same year took possession (Hittell. History of California).

With his brother, Daniel, and Weber, John M. Murphy went to the mines at Weber Creek. They trained Indians to work for them, but moved to the Stanislaus on discovery of amazingly rich placer deposits in the latter region. He built a log cabin on the Stanislaus, and the site became known as Murphy Camp (Bancroft. History of California).

The Murphy brothers were members of the first mining expedition to Tuolumne in 1848—a "famous exploring party, led by James H. Carson, whose members extracted large amounts of gold from Carson's Hill" (Edna Bryan Buckbee. The Saga of Old Tuolumne).

Murphy employed a few Indians of the San Jose Mission, and they induced many wild ones to accompany them to the placers, where Murphy at one time had nearly one hundred and fifty of them in the employ of the company (Hall. History of San Jose).

"After working a few weeks at the first location, they moved to what was called Dry Diggings, where Placerville is today. Part of the Indians were from Stanislaus County. About September, Mr. Murphy sent the Indians back to their old ground to prospect for gold. They left and soon came back, saying they had discovered plenty of it. He moved to that new place and remained there until December, 1849. He had buried nearly two millions of dollars in gold. But at that time it was sold cheaply. Coin was scarce and most of the people for a long while did not know its value. It was customary to sell the gold at four dollars an ounce, which was intrinsically worth over sixteen. It was not unusual for Mr. Murphy to take in at his store twenty-five pounds of gold a day.

"When he first went to Weber Creek but two other white men were there. His brother, Daniel and one Dr. Isabell were his partners" (Hall. History of San Jose.)

While operating at Weber Creek, the company, through Weber, had Indians prospect on the Stanislaus. The news of the rich Stanislaus strike spreading, other miners followed the Weber-Murphy party. A large emigration set in, including some notable men, who gave their names to different places, as Wood Creek, Angel Camp, Murphy Camp, and Sullivan Bar. Murphy Camp was named from John M. Murphy, one of the partners (San Joaquin County History).

Credit is given Weber by Bancroft for securing the help of Indians in the mines. Their chief was known as Jose Jesus. "He had been instructed in the mysteries of religion and civilization by the missionaries and was once Alcalde at San Jose. Through some real or fancied wrongs he left San Jose. Tall, well-proportioned and possessed of remarkable ability, with the dress and dignified manner of a Mexican of the better class, he commanded universal respect. Weber secured his friendship and through him obtained gold diggers (Bancroft. History of California).

"It was said John M. Murphy had at one time more gold dust than any man in California. On one occasion he brought into San Jose from Calaveras a mule loaded with three hundred and fifty pounds of dust, about as much as could be packed on the animal" (Bancroft. Chronicles of the Builders).

He returned to San Jose in 1850 and married Virginia Reed, whose father distinguished himself as a member of the Donner party. He lived at San Jose until his death. The people of the town elected him treasurer in 1850, and later mayor of San Jose, and in 1857 he was chosen for sheriff of Santa Clara County, and again in the following election. He retired from political activities in 1861. He had nine children, six of whom were living in 1891: John M., Daniel R., S. Stanley, Mary Margaret, Virginia F. and Ada J. Murphy.

John M. Murphy is classed by Hittell (History of California) among pioneers who married Indian women. For years this statement was resented by the Murphy family. Hittell writes that John M. Murphy gained help from the Indians of Calaveras County in 1848 by marrying an Indian girl, that Murphy conducted a trading post in Calaveras County, married the sister of the "Capitanejo," or head man of a neighboring village, and by means of this connection, and the influence thereby acquired, he induced Indians to dig for gold and to make him rich in return for provisions and clothing. The source of Hittell's statement is given in a footnote as Ryan's "Personal Adventures," ii, 80: "At the upper crossing of the Stanislaus River I met with a large party of Americans, encamped near an Indian village containing about six hundred warriors, of whom an Irish ranchero named Murphy is the head, he having married the sister of the principal chief. He keeps a trading post and furnished the Indians with clothing and other necessaries for their services in digging gold for him."

Ryan's book, published in London in 1852, is extremely rare. Its author was not bound by facts or accurate statement. A glance reveals errors to any reader familiar with California history. A copy of the book in the library of the Society of California Pioneers has many notes in pencil on the margins, initialed F. D. C., such as "No truth in that," and "another lie," below a mention of the "snow-capped" Mt. Diablo. Dr. Den is spelled Dan, Weber is spelled Weaver; and so the names and facts, if the statements are facts, running through the book, betray either disregard for truth, or a sadly defective memory.

Though Ryan did not mention Murphy's given name, still Hittell, citing him as authority, adds John M., thus identifying John M. Murphy, without further evidence in support of the license taken.

In Bancroft's "California Inter Pocula" is found this fantastic reference to the subject without citation of authority: "Says one who visited the Stanislaus in October, 1848, of some natives he saw at work in that vicinity: 'On the plain we fell in with the camp of Mr. Murphy, who invited us into his tent, and set before us refreshments that would have graced a scene less wild than this. His tent is pitched in the midst of a small tribe of wild Indians, who gather gold for him and receive in return provisions and blankets. He knocks down two bullocks a day to furnish them with meat. Though never before within the wake of civilization, they respect his person and property. This, however, is to be ascribed in part to the fact that he has married the daughter of the chief—a young woman of many personal attractions and full of that warm wild love which makes her the haidee of the woods. She is the queen of the tribe and walks among them with an air of one on whom authority sits as a native grace—a charm which all feel, and of which she seems the least conscious.' "

The Inter Pocula writer has the "unnamed one" placing Murphy's camp on the plain, although the site of the Weber-Murphy mines in Calaveras County was among mountain crags. Sketches of the Stanislaus mines preserved in illustrations of books of the period show a wild mountain region. The hospitable miner is "Mr." Murphy. Bancroft and Hittell differ regarding the Indian nymph. With one she was the daughter, with the other one the sister of the chief. The description of the Indian Haidee of the woods is a refreshing bit of historical writing.

Bancroft (History of California, iv, 76) writes it was Weber who obtained the Indian labor for the placers. While the Weber party were operating at Weber Creek, near the site of the present town of Placerville, he sent Indians to prospect in the Stanislaus region. Bancroft continues: "This shrewd plan worked well. The gold brought in by the natives proved coarser than any yet found. Weber and the rest were delighted, and the Stockton company determined at once to abandon Weber Creek and remove to the Stanislaus, which was done in August. The news spreading, others went with them; a large emigration set in, including some subsequently notable persons, who gave their names to different places. Murphy's Camp was named after John M. Murphy, one of the partners."

The company abandoned the mines in 1849. From their entry into the Stanislaus region, they were in constant contact with their friends and families in San Jose until their return home in December of forty-nine. Murphy married into the Reed family January 31, 1850, at San Jose. In that year he was elected by the voters of San Jose to public office. Later he was elected to the office of sheriff of Santa Clara County for two terms. As a strong feeling at that day existed against white men under the stigma of intermarriage with

Indian women, it is highly improbable that Murphy could win the confidence and respect of the people of Santa Clara; nor would he be acceptable to the Reeds.

Two other sons of Martin Murphy, Sr., were James and Daniel Murphy. What is here written regarding them is summarized from Bancroft's "Chronicles of the Builders" and histories of San Jose and Santa Clara County. James was born in Ireland September 19, 1909. He emigrated when eleven years of age with his father to Canada and at twenty-four engaged in the lumber business in Maine. He followed the family to Missouri in 1843 and came to California with the Miller-Murphy party. He married Miss Ann Martin in Canada, where two of his children were born, one of whom became the wife of B. S. Machado of Gilroy. Returning to lumbering, he settled in Marin County and furnished the lumber for the Leidesdorff wharf at San Francisco.

Discovery of gold in 1848 upset his plans, for his laborers deserted him for the mines and there was nothing for him to do but follow them to the placers. He returned to Santa Clara and with his brother, Daniel, purchased the Rancho de San Francisco de las Llagas at Gilroy—a grant of six square leagues. His name appears on old maps of the county, one of his ranches being near Milpitas. In the seventies he invested in city lands at San Jose, where he built his residence and lived until his death January 13, 1878. His surviving children were Martin D., Helen, William B., Elizabeth, Julia and Daniel J. Murphy.

Daniel Murphy, ending the partnership with his brother John in the mines, returned to Santa Clara, where he joined his brother James on the Rancho de las Llagas at Gilroy. As he grew to like ranching and became rich on the land, he acquired cattle ranges in the San Joaquin Valley and Nevada, and also a rancho in Durango, Mexico, having an area of 1,700,000 acres. He devoted his attention exclusively to cattle-raising for years, and he possessed many herds, each one of which he numbered by the thousands (Bancroft). Much of his time he spent in Mexico and Nevada while moving like a nomad to his ranchos in Santa Clara and San Joaquin valleys. His home was on the ranch near Gilroy. He died at Elko, Nevada, in 1882, leaving two children, Daniel M. and Diana Murphy.

The titles to the Murphy's family lands in Santa Clara County were confirmed by decree of the United States District Court in San Francisco between 1860 and 1868. Their five ranchos were patented to members of two generations then surviving. These patented lands had an area of thirteen square leagues (Hoffman's Land Cases).

Chapter XVI

Pioneers' Golden Wedding

ONE may search the intimate history of pioneer California, and in all probability, may not find anything to compare with the account of the celebration of the golden wedding anniversary of Martin Murphy, Jr., and Mrs. Murphy, held under the oaks at their home, Bay View Farm. Rounding out a half century, the old couple, who had crossed the plains and mountains with their family, were acclaimed by thousands of their friends with blessings and congratulations. The tribute was paid July 18, 1881, the San Francisco Morning Call describing it as "an event which has an almost historical importance, at least, to Californians." The "Pen Pictures of Santa Clara County," commenting on the commemoration, noted, "This event will be a landmark in the history of the county."

On the day following the celebration, the San Jose Herald devoted several columns to "A Pioneer's Half Century of Wedded Life: the Magnificent Manner in which Martin Murphy and Mary Bulger Entertained Their Friends at Their Golden Wedding." Through the kindness of the late Mr. Philip G. Sheehy, a San Jose lawyer, himself a descendant of pioneers of Santa Clara, the article has been contributed in full for this account; but owing to the great length of the newspaper story, much of it has been deleted. Quite enough, however, remains for a satisfying picture of the unique festival:

"If anything has been needed to show the estimation in which the people of Santa Clara Valley hold their pioneer friend and neighbor, Mr. Martin Murphy and his estimable wife, it was supplied Monday, the fiftieth anniversary of their marriage. Two, or three, weeks ago it was ascertained that the eighteenth of July would mark the half-century mark of their wedded life, and their numerous friends determined to make it the occasion of doing honor to one, who has been so prominently identified with the history of the State, and particularly with the prosperity of Santa Clara County. Accordingly it was proposed to Mr. Murphy that a grand gathering should be held at the home place near Mountain View, to which all the friends should be invited. Mr. Murphy desired to see his friends on this occasion but utterly refused to discriminate by using invitations. The old gentleman, whose heart is as broad as his large domain, wanted to see all his friends and would not take any chance of overlooking any of them.

"So it was announced that on that day he would throw open his doors and receive all who desired to enter. But he stipulated in the invitation that the practice of giving presents, which has obtained on such occasions, should be dispensed with.

"Pursuant to the plan adopted, Mr. Murphy gave orders that everything on the ranch should be placed at the disposal of his guests. The services of the architect, Mr. Gash, was secured, and he was given carte blanche as to the arrangement of the grounds. A magnificent grove of live oaks, near the house, was selected as the place for holding the festivities, and from this all the underbrush was cleared away, a dancing platform, 80 x 100 feet was erected, at the head of which was placed a bower ornamented with floral decorations and canopied with the American flag. Hundreds of feet of tables were built, and an immense wine cellar was improvised and crammed full of the choicest vintages of California and of France. The mighty flocks and herds of the place were held subject to the orders of the butchers, and San Jose and San Francisco were placed under contributions for all the delicacies that they could furnish.

"In San Francisco, in San Jose, and in neighboring and distant counties the golden wedding of the pioneer was the subject of conversation. In this city the event was looked forward to with more eagerness than we have ever known our people to display. The banks and many business houses closed and the proprietors hastened to pay their respects to the aged couple.

"The first arrivals at the ranch were W. C. Wilson, Wm. M. Williamson, and a wagon load of pioneers, who, accompanied by Parkman's Band, proceeded directly to the house and gave their friends a serenade. They got there about half-past nine o'clock, but they were soon followed by vehicles of all sizes and descriptions, which passed in through the open gates of the farm, all loaded down with people. By 10:30 the long avenue was lined with teams, our reporter counting 274, and more continually arriving. About the same time a special train from San Francisco arrived, densely crowded with the old pioneer friends of Mr. Murphy. They were escorted to the grove by a band, and soon came the special train from San Jose, consisting of six cars, all full of people, who were bent on obeying Mr. Murphy's invitation to 'Come Haste to the Wedding.'

"The peculiar character of the gathering was the predominance of the pioneers of the State. A gentleman remarked to us that in all his residence in this country, he had never seen so many of the 'old timers' together in one assemblage, nor so large a proportion of the prominent men of the Coast. Among the crowd which gathered on the dancing floor we caught a glimpse of ex-Senator Gwin, Teburcio Parrott, Col. Peter Donahue, Judge Williams, Hon. Phil Roach, and a hundred others, who had dropped business and affairs of State to run down and shake hands with their old friends of pioneer days. The hand shaking and congratulations continued without intermission until half-past twelve, when the call to dinner was made. By this time the crowd of guests had increased by constant arrivals until it numbered about five thousand.

"The bridal table was arranged in the form of a semi-circle, and was located on the south side of the grove overlooking the entire grounds. It had been magnificently decorated, each one of the ladies of the house having contributed some ornament. Conspicuous among those were the magnificent floral baskets, the offerings of Mrs. J. Keeting and Mrs. P. J. White, and Mrs. John Carrol of San Francisco, and a horseshoe of orange blossoms by Mr. and Mrs.

C. D. Sullivan. The bride cake was a triumph of the confectioner's art. On one end of the table was crouched a taxidermatized bear, the cherished emblem of the men of '49. To this table the bridegroom and bride were escorted, the band playing 'Come Haste to the Wedding.' Seated with them were ex-Senator Gwin, Judge Williams, Colonel Peter Donahue and wife, Mrs. Callaghan, Mrs. Sheehy and Teburcio Parrott. Hon. C. T. Ryland acted as Master of Ceremonies.

"After full justice had been done to the magnificent banquet, Mr. Murphy spoke a few words, showing his pleasure at meeting so many of his old friends.

"Ex-Senator Gwin followed with a toast as follows: 'In proposing the health of our revered host, and his estimable wife, who came here when California was a desert, and whose efforts are part of the history of the country, I desire to say that I consider it as great an honor to propose the health of Mr. Murphy and his lady on this occasion as I would to honor the greatest man of the country; for they were the conquerors of the country that conquered the desert here—and see what it is now. May they live to see their diamond wedding, and may they be happy and prosperous all their lives.'

"J. J. Owen of the San Jose Mercury said: 'It seems proper on this occasion, as the representative of the press of Santa Clara County, that I should pay to you my compliments. In doing so, I desire to read a little sentiment written not many months ago.' Mr. Owen then read from his 'Sunday Talks' the chapter entitled 'The Sunset of Life,' after which the book, through Colonel Donahue, was presented to Mr. and Mrs. Murphy."

The newspaper account refers to addresses made by General P. W. Murphy and his brother, James, speaking for their absent brothers and thanking their friends on behalf of the family. A poem written for the occasion by Sister Anna Raphael of Notre Dame Convent, San Jose, was read and presented to the pioneer hosts. C. T. Ryland, lawyer and banker, proposing a toast, related difficulties encountered by Martin Murphy with squatters on his lands—an incident having appeal as part of the history of that time in California. He said: "Twenty-five years ago, Martin Murphy, with Judge Wallace and others for his lawyers, was trying to get squatters off his ranch. At the time that the lawyers and the judges and the sheriff and Martin Murphy were trying all the machinery of the courts and making use of all the legal appliances known to the practice to clear his ranch of squatters, Mrs. Murphy, with a higher sense of justice and nobler sentiments of humanity, was feeding and ministering to the necessities of the families of the very men who were fighting her husband in the courts. The secret was, the squatters became ashamed of themselves, laid down their opposition at her feet and abandoned the ranch. She secured by kindness what the iron hand of the law was trying to accomplish."

The Herald article continues to tell of festivities after the banquet, while guests arrived by trains and carriages during the afternoon and enjoyed dancing, band concerts and renewal of old friendships.

"As the afternoon wore on the crowd seemed to increase. The Board of Supervisors adjourned at noon and the members arrived on the grounds about one o'clock. At three o'clock the Superior Court, Department 1, which is engaged in the trial of the Carlton case, adjourned, and Judge, Jury, Sheriff and the whole Bar, repaired to the scene of festivities. Everyone seemed determined to take advantage of the opportunity to pay their respects to the bride and bridegroom. The streets of San Jose were deserted, and those who could not go early went late. At the least calculation, 7,000 persons must have been on the grounds. It was a day that ever will be remembered by those who were present, and will be handed down in the annals of the county as one of the prominent events of our history."

Soon after the celebration of their golden wedding the old couple moved to their residence at San Jose, where Martin Murphy lived until his death, October 20, 1884. One of his last acts was the execution of a deed, in which his wife joined, conveying to their children in equal shares their entire property, designating the estates which each one should occupy, and reserving for themselves only a life interest in the rents and profits; and Martin Murphy, Jr., and his wife had the joy of seeing their children living in peace and harmony on their own lands, rich and respected. The funeral of Martin Murphy, Jr., was attended by thousands of friends, who included many prominent pioneers, and as a mark of respect to his memory, stores in San Jose were closed and flags flown at half mast while the cortege passed through the streets of the City (History of San Jose).

Chapter XVII

Donner Party Heroes

THE pages of California history are fascinating, illumined as they are with portrayal of life on two frontiers, ethnically distinct as to time and settlers, one familiarly known as the pastoral, or Mission, period, the other one recognized as the American, or pioneer, era. An aura of romance, emanating, no doubt, from ancient myths, gilds those earlier years, and its story retains a certain glamour. The second, or American frontier, is enveloped in an atmosphere of stark realism with its resolution in the will to win worldly success. Contrasts, yes, though barely noticed. The first frontier had its beauty and color under the dominant influence of things of the spirit, while the second frontier was plainly an arena with humanistic limitations.

Surely in these contrasts alone is much of the fascination of California's annals. The pages may not all be delightful. Some of them, indeed, are dark; some afford depressing reading. The darkest of them all is the pitiful narrative of the Donner immigrant party tragedy of 1846—the end of the trail for many men, women and children, buried in the Sierra's snows.

The Donner party was also known as the Reed-Donner party (Eldredge. The Beginnings of San Francisco). It was organized in Illinois with a membership of ninety persons, when it left Springfield with James F. Reed at its head. Lacking in leadership and unity of purpose, dissensions and petty differences of opinion engendered distrust resulting in the fatal error of taking the so-called Hastings cut-off across a salt desert, southwest of Salt Lake, Utah. About a month was lost on the desert while oxen and horses died and equipment had to be abandoned. Five of the party did not live to reach the Sierra mountain camp and thirty-seven died of exposure and starvation at Donner Camp. Only forty-eight of the party survived.

Among the conspicuous figures of the disaster, at least three were Irishmen—James F. Reed, Patrick Dolan and Patrick Breen.

Little is known of Dolan beyond what appears in McGlashan's narrative in a laudatory comment on his supreme sacrifice, voluntarily made that women and children of the party might live. He was a fellow countryman of Breen, with whom he associated at Keokuk, Iowa. He was a witness for Breen on the latter's application for citizenship, from which it may be inferred that Dolan had known his friend for more than five years previously. Both men eagerly advanced a movement in the vicinity of Keokuk to emigrate to California in April, 1846.

Dolan joined the party and continued on the journey until trapped in the snow at Donner Lake. On the forty-second day in camp when the immigrants were reduced to eating hides of cattle, a group of the men of the party resolved on an attempt to escape over the summit, and, if successful, they were to summon help from Sutter. Among them was Dolan, who, before leaving the camp, relinquished his own provisions to those left behind, and accepted as his share of food for the perilous venture with his companions six days' rations of beef. The bold expedition was known as the "forlorn hope." For him it was the supreme sacrifice for love of his fellow men.

"This Patrick Dolan deserves more than a passing word. He had owned a farm at Keokuk, Iowa, and selling it, had taken as the price, a wagon, four oxen and two cows. With these he joined the Donner Party, and on reaching the lake had killed his cattle and stored them away with those killed by the Breens. Dolan was a bachelor about forty years of age. He was possessed of two or three hundred dollars in coin, but instead of being miserly or selfish, was characterized by generous open-heartedness. 'When it became apparent that there was to be suffering and starvation' (this quotation is from the manuscript of Hon. James F. Breen), 'Dolan determined to lighten the burden at the camps, and leave with the party that was to attempt the passage, so that there should be fewer to consume the scant supply of provisions. Previous to his departure he asked my father

(Patrick Breen) to attend to the wants of Reed's family, and to give of his (Dolan's) meat to Reed's family as long as possible.'

"Accordingly, Mrs. Reed and her children were taken into Breen's cabin, where, as mentioned above, Dolan's meat was stored. Was ever a more generous act recorded? Patrick Dolan had no relative in the Donner Party, and no friends, save those whose friendship had been formed upon the plains. With the cattle which belonged to him he could have selfishly subsisted until relief came, but, whole-souled Irishman that he was, he gave food to the mothers and the children and went out in the waste of snow to perish of starvation. How many who live today owe their existence to Patrick Dolan's self sacrifice! This blue-eyed, brown-haired Irishman is described as being of a jovial disposition, and inclined to look upon the bright side of things. Remembering how he gave his life for strangers, how readily can we appreciate Mr. Breen's tender tribute: 'He was a favorite with the children, and would romp and play with a child!'" (C. F. McGlashan. History of the Donner Party.)

To James F. Reed was accorded the distinction of being the one resolute man of the Donner Party, whose daring and self reliance under most trying ordeals, combined with ceaseless helpfulness to his fellow man, caused him to be recognized by his contemporaries and California historians as a hero. From first to last he appears as the commanding heroic figure of the Donner tragedy. He held the lead of the train across the plains.

After about six months on the journey, without even a trail to indicate the way, the party reached the Humboldt River, reduced in rations and worn by fatigue. The members grew irritable and quarrelsome under the strain, an overshadowing sense of danger and the specter of hunger. Reed's oxen, driven by thirst, disappeared in the salt desert, leaving him helpless with three wagons and a family of six. With his youngest child in his arms and followed by the others, he walked twenty miles to where the party was in camp on the Humboldt. He had but one cow and one ox. Breen and F. W.

Graves lent him two oxen and he resumed the journey with one wagon.

At Gravely Ford, John Snyder, one of the party, was beating his team to make them pull up a sand hill. Reed expostulated with him and Snyder struck him a blow on the head with the butt-end of his heavy whip stock. The blow was followed in rapid succession by two more. Each blow cut deep gashes. Reed was stunned and blinded by blood. The fourth blow fell upon Mrs. Reed. The next instant Snyder reeled; Reed's hunting knife had pierced his left breast (McGlashan). Reed was banished from the camp without food or arms. He accepted the verdict and rode out into the wilderness. His little daughter, Virginia, followed him after dark and carried to him his rifle, ammunition and food.

George and Jacob Donner were two days in advance of the main train, and Reed caught up with them. Eliza Donner Houghton tells that he breakfasted at her father's tent, but did not continue the journey alone, as Walter Herron, an employe of her father, decided to accompany him. They rode away together, bearing an urgent appeal to Sutter for food and teams.

In a heavy rainstorm on October 25th, a man was seen riding slowly toward Johnson's ranch in California. He was James F. Reed, who after great suffering from exposure and starvation had reached his goal. After recuperating he proceeded to Sutter's Fort, where he met members of the original party, who had refused to go by the Hastings cut-off and had taken the longer trail, which had proved the shorter way home. Sutter complied with Reed's request for horses, saddles and provisions to fetch the imprisoned immigrants to the fort.

In the evening of the day of his arrival at Sutter's Fort, Reed attended a meeting, held for the purpose of raising a battalion for the Californians to oppose the Mexicans, then facing each other. He was offered command of a company, but declined for the reason the office would demand his entire time with his company; and also he was anxious about his family and eager to lead an expedition to Donner Lake, or to Bear Valley on the westerly declivity of the mountains, where he believed the immigrants were situated. He accepted a lieutenancy, whereupon he was given leave to proceed to the Sierras with horses, provisions, and an order from Sutter on a rancher for more horses on the trail to Bear Valley. With William McCutcheon, who had escaped from the Donner camp, he set out on his mission of rescue with thirty horses, a mule and two Indian vaqueros.

Reaching the valley they found an immigrant, Jotham Curtis and his wife near death from starvation. He gave them enough food to save their lives. Then pushing onward they were compelled by the deep snow to abandon their horses. They went on afoot only to be beaten back by snow drifts and forced to return to Sutter's Fort.

Sutter assured Reed that if the immigrants had as many oxen as Reed supposed, there would be ample food for the whole party until springtime, or when relief supplies could be carried to the camp. There were no strong men left at the fort, as all able bodied pioneers there had joined Fremont's command. Sutter advised Reed to go to Yerba Buena and seek aid from the army and navy authorities, so Reed left immediately going by San Jose with the intention of organizing relief. Near San Jose he found the opposing forces ready for battle and he eagerly entered the fray as first lieutenant and remained in the service for six weeks. His commander gave Reed official commendation for gallant conduct and allowed him to resume his journey. Reed was criticized for delaying until it became known that Sutter had been misled by the impression received from him that there were more oxen than the few reclaimed from the snow at Donner Lake.

However, a relief party was formed, and with Reed at its head, it began a forced march by way of Sonoma to the Johnson ranch on Bear River, while the main part of the rescuers went by boat to Sacramento under command of Selim Woodworth. Johnson gave them five steers, which were slaughtered, and Reed dried the meat all night over wood fires in order to be ready to proceed at dawn. Next morning Reed had the provisions packed, and with nine men, the rescuers carried seven hundred pounds of flour and the dried beef of five oxen. Reed did not know until he arrived at Johnson's ranch that the first relief expedition had gone seventeen days previously into the mountains led by Captain Tucker.

Fighting his way through the snow, Reed with his company met the Tucker company returning with several members of the famished victims. Of this meeting he wrote in his diary:

"Left camp on a fine hard snow and proceeded about four miles when we met the poor, unfortunate, starved people. As I met them scattered along the snow-trail, I distributed some bread that I had baked last night. I gave in small quantities to each. Here I met my wife and two of my little children. Two of my children are still in the mountains. I cannot describe the death-like look all these people had. 'Bread!' 'Bread!' 'Bread!' was the begging cry of every child and grown person. I gave all I dared to them and set out for the scene of desolation on the lake."

Only then did a realization of the terrible condition of the immigrants come to Reed. More food had been left by him in a cache on the trail for those who were escaping. Both Eldredge and McGlashan state that had it not been for the relief afforded by Reed and his men many of the victims must have perished. He redoubled his efforts to scale the summit, having made fourteen miles through deep and soft snow after passing the first escaping immigrants. Finally, too exhausted to proceed, he sent three of the ablest men in his company ahead. They arrived at the lake early next morning. Food was distributed and preparations made for the return journey. Three men were left behind to care for those too weak to move, while Reed and the rest of his men took out seventeen in all, including men, women and children.

Two days later the little band were caught in a furious mountain snow storm in Summit Valley, where they were compelled to seek shelter and wait for whatever fate had in store for them. Food was gone. The spot was named Starved Camp. With much difficulty a fire was lighted as Reed constructed a barrier of pine boughs in the snow against the chilling blizzard. Reed alone kept the fire burning until early morning, when he fell asleep. The cold awakened Mrs.

Breen, who aroused the sleeping and frozen company. She found Reed unconscious on the snow, where he had fallen exhausted, overcome by the fatal drowsiness preceding death from freezing. He was carried to the fire and in two hours restored.

For several days the storm raged. The men of the expedition realized that unless help was brought in from the nearest settlement, all would perish. Reed sent out three men for food at a cache in the valley. They found the cache, but after eating, they proceeded to Sutter's Fort. Reed with his party left Starved Camp, and it was not until nine days later that help came to the unfortunates there.

Adverse criticism of the Reed-Greenwood rescue party abandoning the immigrants at Starved Camp, which was about ten miles below the summit on the west side of the mountain, is answered by Eliza Donner Houghton. She declares that careful investigation proved the censure was hasty and unfair. The refugees comprised three wasted adults and fourteen emaciated children. The prospect of getting them out at the beginning of the journey seemed favorable, but in the storm the combined efforts of the men could do no more than provide fuel for the fire. All became exhausted; all might have perished together had not the nine men pursued what seemed to them the only alternative. Mrs. Houghton concludes: "No one felt keener than he, Reed, over the fact that he had been obliged to abandon at Starved Camp the refugees he had heroically endeavored to save."

James F. Breen wrote, when he was judge of the Superior Court of San Benito County: "No one can attach blame to those who voted to leave part of the emigrants. It was a desperate case. The idea was to save as many as possible, and they honestly believed that by attempting to save all, all would be lost." Judge Breen was one of the "emaciated children" at Starved Camp.

Reed was born in Ireland November 14, 1800. He came to the United States with his widowed mother when a small child. For a time he worked for a relative in Virginia as a clerk, and at twenty-five went to lead mines in Illinois, where he worked until 1831. His next move was to Springfield, where, in the summer of 1832, he was mustered into an independent military company as a private in the Black Hawk war. The company's roll includes the names of Abraham Lincoln, Steven A. Douglas and James F. Reed. The company was sent out with a brigade after Black Hawk and saw the hardest service of the march through Illinois, Michigan Territory (as Wisconsin was then called), for it was allotted scouting duty for the brigade through swamps and forest (Ida M. Tarbell. Life of Abraham Lincoln).

Returning to Springfield he engaged in making furniture and bought a farm with the profits. Two years afterward he married a daughter of Humphrey Keyes, a Virginian. His next venture was building railroads in Illinois—an unprofitable enterprise since the State repudiated the contract with other contracts of the same class and refused to pay him in full.

When alluring accounts of California trickled into Illinois, Reed was in a receptive mood with the result he began a campaign with the Donners and others to organize an emigrant train and to cross the country to the Pacific. This was early in 1846 and not long before the emigrant train entered upon its fateful march.

Once his family had recovered at Sutter's Fort from their ordeal, Reed gravitated toward San Jose. News of gold discovery in 1848 upset his plans for settling in the Santa Clara Valley. He hastened to the placers with many others among his new neighbors. Mining proved generous in its returns, and so Reed went back to his home and bought real property in San Jose and its vicinity.

He was the most active man in San Jose in making it the capital of the State. He circulated documents throughout California and endeavored to impress on the members of the State constitutional convention of 1849 the importance and value of San Jose as the seat of government. He spent of his own means not much less than twenty thousand dollars in behalf of San Jose, hoping to make it the capital (Frederick Hall. History of San Jose).

In 1850 he had large offers for his real property, but believing in the growth of the city, he refused to part with it. He later became involved financially, but prior thereto had secured for his family an estate, which by its enhancement in value provided them bountifully with the comforts of life (Hall).

There was much litigation involving title to pueblo lands in San Jose. A corporation, which had attempted to acquire ownership of large areas in the pueblo, eventually lost with the termination of prolonged procedure in the courts. Reed was one of the conspicuous figures in the corporation, and, with his associates, he suffered monetary losses through mistaken opinions of old and new laws affecting pueblo grants.

He was appointed legal guardian of Mary Donner and of her estate, and he realized full value from the sale of property brought from her father's tents at Donner Lake. She made her home with the Reeds at San Jose. Life for her under the hospitable roof of the Reeds must have been cast in pleasant lines, since she invariably spoke of her hosts with filial affection (Eliza Donner Houghton).

Mrs. Reed died at San Jose, November 25, 1861, and Reed followed her July 24, 1874. Their children were Thomas K., James F., Jr., Virginia, who married John M. Murphy in January, 1850; Mary, who married P. McAran, a director of the Hibernia Bank in San Francisco, June 28, 1869, and Martha J. (Patty) who married Frank Lewis of Santa Cruz, December 25, 1856.

McGlashan wrote of Reed: "He was a man, tender, generous, heroic, whose qualities of true nobility shone brilliantly throughout a long life of usefulness. His name is intimately interwoven with the Donner Party from first to last."

Chapter XVIII

Breen and His Diary

WINTER in the high Sierras fell upon the unfortunates of the Donner party as their train approached Donner Lake on the eastern declivity of the mountains. Dazed, and vainly hoping against hope for deliverance, for the first time they all agreed on a definite plan of action. Their wagons were snow-bound at various points and had to be abandoned. The cattle and horses were left to themselves, and at a meeting the immigrants decided to kill them, preserve the meat, build hastily such shelters as the men might provide and await whatever fate might betide. On the evening of that fateful day a terrific snow storm burst upon the camp and continued for a week. The animals strayed away and most of them were lost under the snow, save for a comparatively few steers that were found and killed for food. Crude shelters were erected with roofs of brush and hides. Patrick Breen with his family of seven children and his wife found cover in a cabin that had been built by the Miller-Murphy party.

Like his associates in the camp, Patrick Breen could do but little more than cut down trees and gather firewood, much of it from beneath the snow, or dig down into the white mantle in the hope of finding cattle for food, and husbanding them in the cabins. All were helpless when enveloped in the dreadful solitude. Breen maintained a cheerful pose, encouraging others to hope and persevere, until he, too, faltered just at the moment of his rescue. And yet he wrote a diary recording a faithful account of each day's misery—a little manuscript now regarded by historians as one of the most precious human documents in California history. He was not a man of heroic mold, rather delicate of frame, whose heroism at best was of the mental order; and this much is evidenced after his arrival at Sutter's Fort and at Martin Murphy Jr.'s home on the Cosumnes river, where he was cared for as an invalid during the winter of 1846 and until September, 1847.

McGlashan (History of the Donner Party) gives the following picture of him: "As will be seen by various references throughout this diary, Mr. Breen was a devout Catholic. During the darkest hours of trial the prayers were regularly read. That this might be done during the long weary evenings, as well as by day, pieces of pitch pine were split and laid carefully in one corner of the cabin, which would be lighted at the fire, and would serve as a substitute for candles. Those of the survivors who are living often speak of the times when they held these sticks while Mr. Breen read the prayers."

Breen and his family starved with the rest of the victims in the camp. As he noted in his Diary, they found the hides fairly satisfactory when they had nothing else to keep them alive. When a rescue party found them at Starved Camp, Breen was a living skeleton and his children were on the point of death. The rescuers agreed they could not save all the abandoned immigrants and children at Starved Camp and then decided to leave the Breen family to be carried out by another party. John Stark refused to abandon the helpless Breens and some other children. He was left to his fate with them. The Hon. James F. Breen in his manuscript, many years afterward, asserted if it were not for Stark, the Breen family would have died at Starved Camp.

"Stark was finally left alone. To his great bodily strength and unexcelled courage, myself and others owe our lives. . . . He was as strong as two ordinary men. On his broad shoulders he carried provisions, most of the blankets, and most of the time some of the weakened children. . . . I distinctly remember that myself and Jonathan Graves were both carried by Stark, on his back, the greater part of the journey" (James F. Breen, History of San Benito County).

Stark's method was to carry the children and blankets a short distance, lay them down and return for another load, thus making the journey in relays to safety. He was a native of Indiana who settled in Napa County, of which he was sheriff for six years.

Breen, himself, was so debilitated that fears were entertained for his health. Near the end of 1847 he was able to move to Mission San Jose with his family, where they stayed for a few months before continuing their journey to San Juan. He was an unusual man with an extraordinary career. Think of him starting out in "prairie schooners" with his wife and seven children, the youngest a babe in her mother's arms, going he knew not where, seemingly indifferent to fate in the dim distance. And yet the entire family lived to reach a home in California. An eighth child, William M. Breen, was born at San Juan in 1848. Through it all, Breen lived to see his flock grow to maturity and happily established in comfortable circumstances. When the end came to him, December 21, 1868, he was surrounded by seven sons and one daughter and twenty-one grandchildren.

Breen had left Ireland in his youth for Canada, where he lived two years on a farm, until moving to Keokuk, Iowa, with his wife and first son, John. At Keokuk he became a citizen of the United States. He joined the Donner party in 1846 with his friend, Patrick Dolan, and eagerly went forth on his grand adventure.

Misfortunes were his lot all the way to his new home. Even at San Juan, where he had settled down, his family were in an abjectly pitiful condition, destitute, without a house, food or necessary clothing. Their son, James F. Breen, in the History of San Benito County relates the family were without shelter, or provisions, or the means of securing them, when they were seeking a home in California in 1848. General Castro at San Juan, hearing of the desperate condition of the Breens, vacated his house, which was the best in the village, and insisted on the immigrants taking possession. Nor would the general listen to an offer of future compensation. He went further and saw that the family were generously supplied with food.

"Fully to appreciate this generous act, it should be borne in mind that General Castro was one of the most uncompromising opponents of the invaders and American oppression, as he understood it" (James F. Breen).

That Breen was resourceful may be inferred from the fact that he opened a hotel at San Juan in the spring of 1849. His charge was five dollars for man and horse for one night. His son, James F. Breen, gives a sketchy description of the hostelry as he remembered it. The inn, as it was called, and proclaimed by the word painted on the head of a barrel swung over the door, was a famous caravansary.

The opening of the inn was hardly a matter of choice with Breen, for San Juan was on the trail of gold-seekers riding from Monterey and from all points in Southern California and Sonora to the new El Dorado in the Sierras. Being a day's journey from Monterey, San Juan was naturally a place to rest for the night. The only English-speaking people in the village being the Breens, they were asked for lodgings. No charge was made for the accommodation at first, but as the stream of argonauts swelled and jostled one another on the highway, Breen, as a matter of self protection opened the inn. The idea filled his depleted coffers.

By dint of industry and thrift, Breen became the owner of fifteen hundred varas square (approximately four hundred acres) of land in Monterey County, and some years later added six hundred acres to the farm. The sons helped to tend the flocks and till the soil. In good time Patrick Breen, Jr., acquired a farm of one thousand acres, near San Juan. James F. Breen was educated at Santa Clara College and attained prominence as a lawyer and judge.

Isabella M. Breen was the last survivor of the Donner party. She was but eleven months of age when carried in her mother's arms over the Sierra snows and kept alive with a little sugar melted in her mouth. She became the wife of Thomas McMahan of Hollister in 1869 and moved to San Francisco fifty-seven years ago. Her death in San Francisco in March, 1935, closed the living chapter of the Donner tragedy.

The only record extant of the Donner Party in the mountains is Patrick Breen's diary, in which the events of each day were briefly noted. Mrs. Tamsen Donner and Lewis Keseberg kept similar diaries, but they were lost.

With the Bancroft Collection, the Breen diary came into possession of the University of California in 1905. Breen had given it to Dr. George McKinstry at Sutter's Fort in 1847 to be used by the doctor in a report on the Donner Party to Captain Hall of the United

States sloop of war Warren at San Francisco. In 1871, McKinstry presented it to Hubert Howe Bancroft, who transferred it to the university, where it is today.

The diary was written upon eight sheets of letter paper, roughly trimmed and folded to make a book of thirty-two pages, 3¾ by 6 inches, of which twenty-nine pages were used and three remain blank. It was bound up with a title page supplied by Bancroft.

In September, 1847, a copy of the diary appeared in the Nashville, Tenn., Whig, and from that journal copies and excerpts were variously published. Parts of it were printed in the California Star, a local newspaper, from which it has been frequently copied, notably in Edward Bryant's "What I Saw in California" (New York, 1849), and C. F. McGlashan's "History of the Donner Party." For the first time the diary was published exactly as written by Breen, in volume one of the Publications of the Academy of Pacific Coast History by the University of California. Without exception, the extracts previously printed, when compared with the Academy's true copy, are found to be filled with inaccuracies, and mostly punctuated at the whim of editors, as if they intended to make the text represent their opinions of its meaning.

Much has been written about the Donner Party, not all of which is authentic. It is conceded by Eldredge (The Beginnings of San Francisco, page 643) that the history of the Donner Party by McGlashan is the foundation of the Donner historical structure. Eliza Donner Houghton's "Expedition of the Donner Party," compiled from letters, records and personal interviews with survivors, and also Bancroft's "Inter Pocula" corroborate McGlashan in essential details.

A study of original sources, mainly the Diary, descriptive of the Donner tragedy, leads to the conclusion that there has been deliberate falsification, or, maybe, culpably negligent mis-statement in later revamping of the subject.

In justice to McGlashan and his veracious history, a word should be said of the fictitious "Narrative from the lips of a survivor, Mr. Eddy," by Hoffman Birney, under the title, "Grim Journey." Birney betrays prejudice; he went out of his way to malign McGlashan, an outstanding personality in Californiana. "Mr. Eddy," a member of the Donner Party, died in 1857 at Petaluma and never told a story of the Donner Party, yet he is made the vehicle of Birney's fiction. Under the heading "Author's Note," Birney states Breen's Diary was available to McGlashan, and he then accuses McGlashan of falsifying it. McGlashan writes it was published in the Nashville, Tenn., Whig, in 1847, a copy of which was given him by William G. Murphy of Marysville (page 92, fourteenth edition). He used the Whig copy, which had gone through the vicissitudes of editorial treatment. Yet Birney asserts McGlashan "carefully edited all of Patrick's errors and deliberately falsified the record," and he brands the history as "Mawkish in its mid-Victorian sentimentality, grossly inaccurate in many of its minor details." As a matter of fact, Breen's Diary was not available to McGlashan, whose History has gone through many printings, the last one, quite recently, a typical product of the Stanford University Press—an admirable edition.

Every day, while entrapped in the Sierra's snows, Breen noted weather conditions—the snow-fall, rain-fall, storms, direction of the winds and approximate estimates of temperature. Owing to the length of the diary these weather records are eliminated in the following copy, except in some instances where they are given to indicate his consistent manner. Otherwise, it is complete as taken from the copy of the Academy of Pacific Coast History. The work of an unlettered man while death was staring him in the face, it is a faithful human avowal of helplessness and hope:

> Friday, Nov. 20th 1846 Came to this place on the 31st of last month that it snowed we went on to the pass the snow so deep we were unable to find the road, when within 3 miles of the summit then turned back to this shanty on the lake, Stanton came one day after we arrived here We again took our teams & waggons & made another unsuccessful attempt to cross in company with Stanton we returned to the shanty it continueing to snow all the time we were here we now have killed most part of our cattle having to stay here untill next spring & live on poor beef without

bread or salt it snowed during the space of eight days with little intermission, after our arrival here, the remainer of time up to this day was clear & plesant frezeing at night the snow nearly gone from the valleys.

Sat. 21st Fine morning wind N:W 22 of our companions are about starting across the mountain this morning including Stanton & his indians, some clouds flying thawed to day wnd E.

Sunday 22nd no account from those on the mountains

Monday 23rd the expedition across the mountains returned after an unsuccessful attempt.

Wednesday 25th Wind about W N W Cloudy looks like the eve of a snow storm our mountaineers intend trying to cross the mountain tomorrow if fair froze hard last night.

Friday 27 Continues to snow, the ground not covered, wind W dull prospect for crossing the mountains,

Sunday 29th killed my last oxen to day will skin them tomorrow gave another yoke to Fosters hard to get wood.

Monday 30th Snowing fast wind W about 4 or 5 feet deep, no drifts looks as likely to continue as when it commenced no liveing thing without wings can get about.

December 1st Tuesday difficult to get woodno going from the house completely housed up looks as likely for snow as when it commenced, our cattle all killed but three or four of them, the horses and Stantons mules gone & cattle suppose lost in the snow no hopes of finding them alive.

Wedns 2nd snow must be over six feet deep bad fire this morning.

Friday 4th it is a relief to have one fine day.

Saturday 5th Fine clear day beautiful sunshine thawing a little looks delightful after the long snow storm.

Sund 6th Stanton & Graves manufactureing snow shoes for another mountain scrabble no account of mules

Tues 8th deep snow the people not stirring round much hard work to wood sufficient to keep us warm & cook our beef.

Wedns 9th took in Spitzer yesterday so weak that he cannot rise without help caused by starveation all in good health some having scant supply of beef Stanton trying to make a rise of some for his Indians & self not likely to get much

Thursd 10th very difficult to get wood today

Sunday 13th Stanton and Graves with several others makeing preparations to cross the mountains on snow shoes, snow 8 feet deep on the level dull.

Wed'd 16th Fair & pleasant froeze hard last night so the company started on snow shoes to cross the mountains wind S.E. looks pleasant.

Thursd 17th Bill Murp returned from the mountain party last evening Bealis died night before last Milt & Noah went to Donnos 8 days since not returned yet, thinks they got lost in the snow. J. Denton here to day.

Frid'd 18 saw no strangers to day from any of the shantys.

Sund 20 Mrs. Reid here, no account of Milt. yet Dutch Charley started for Donoghs turned back not able to proceed tough times, but not discouraged our hopes are in God. Amen.

Mond. 21 Milt got back from Donos camp sad news. Jake Donno Sam Shoemaker Reinhart & Smith are dead the rest of them in a low situation.

Tuesd 22nd had a severe fit of the gravel yesterday I am well to day, Praise be to the God of Heaven.

Wend 23rd Milt took some of his meat to day all well at their camp began this day to read the Thirty days prayer, may Almighty God grant the request of an unworthy sinner that I am. Amen.

Thursd 24th Rained all night & still continues to rain poor prospect for any kind of comfort spiritual or temporal, wind S: may God help us to spend the Christmas we we ought considering circumstances.

Friday 25th Began to snow yesterday about 12 o'clock snowed all night & snows yet rapidly wind about E by N Great difficulty in getting wood John & Edward has to get I am not able offerd. our prayers to God this Cherimass morning the prospect is appalling but hope in God Amen.

Sund, 27th scarce of wood to day Chopt. a tree dow it sinks in the snow & is hard to be got.

Tuesday 29th Charley sick, Keysburg has Wolfings Rifle gun—with him in money $1.50 two good loking silver watches one razor 3 boxes caps Keysburg tok them into his possession Splitzer took his coat & waiscoat Keysburg all his other little effects gold pin one shirt and tools for shaveing.

Thursday 31st Last of the year, may we with Gods help spend the comeing year better than the past which we purpose to do if Almight God will deliver us from our present dredful situation which is our prayer if the will of God sees it fitting for us Amen. Snow storms are dredful to us.

January 1st 1847 We pray the God of Mercy to deliver us from our present calamity if it be his Holy will Amen provisions geting scant dug up a hide from under the snow yesterday for Milt. did not take it yet.

Sund 3rd Mrs. Reid talks of crossing the mountains with her children provisions scarce.

Mond. 4th Mrs Reid Milt. Virginia & Eliza started about ½ hour ago with prospect of crossing the mountains may God of Mery help them left ther children here Tom's with us Pat with Keysurg & Jas with Gravese's folks, it was difficult for Mrs. Reid to get away from the children.

Weds. 6th Eliza came back from the mountain yesterday evening not able to proceed, to day went to Graves, the others kept ahead.

Friday 8th Mrs. Reid & company came back this morning could not find their way on the other side of the mountain they have nothing but hides to live on Martha is to stay here Milt & Eliza going to Donos Mrs. Reid & the 2 boys going to their own shanty & Virginia prospects dull may God relieve us all from this difficulty if it is his Holy will Amen.

Satd 9th Mrs. Reid here Virginias toes frozen.

Mond. 11th Mrs. Reid at Keysburg Virg with us wood scarce difficult to get any more.

Wens. 13th Snowing fast wind N.W. snow higher than the shanty must be 13 feet deep dont know how to get wood this morning it is dredful to look at

Thursd. 14th sun shineing brilliantly renovates our spirits prais be to God, Amen.

Frid. 15th Mrs. Murphy blind Lanth. not able to get wood has but one axe betwixt him & Keysburg, he moved to Murphys yesterday Expecting some account from Siuters soon.

Sund. 17th Eliza came here this morning, sent her back again to Graves Lanthrom crazy last night so Bill says, Keyburg sent Bill to get hides off his shanty & carry theim home this morning, provisions scarce hides are the only meat yet, May God send us help.

Mond, 18th Mrs. Murphy here to day very hard to get wood.

Tues. 19th Peggy & Edward sick last night by eating some meat that Donlan threw his tobacco on, pretty well to day (praise God for his blessings). Lanthrom very low in danger if relief dont soon come hides are all the go, not much of any other in camp.

Wed. 20th Expecting some person across the mountain this week.

Thursd. 21 John Battice & Denton came this morning with Eliza she wont eat hides Mrs. Reid sent her back to live or die on them. Milt. got his toes froze the Donoghs are all well.

Sund. 24th All in good health thanks be to God for his mercies endureth for ever, heard nothing from Murphys camp since the storm expet to hear they suffered some.

Tuesd 26 in hopes we are done with snow storms, those that went to Suitors not yet returned provisions getting very scant people geting weak liveing on short allowance of hides.

Weds 27th Mrs. Keyber here this morning Lewis Suitor she says died three days ago Keysburg sick & Lanthrom lying in bed the whole of his time dont have fire enough to cook their hides Bill & Sim Murphy sick.

Sat 30th John & Edwd went to Graves this morning the Graves seized on Mrs. Reids goods until they would be paid also took the hides that she & family had to live on, she got two pieces of hides from here & the ballance they have taken you may know from these proceedings what our fare is in camp there is nothing to be got by hunting yet perhaps there soon will. God send it Amen.

Sund. 31st. Lantron Murphy died last night about 1 o'clock, Mrs. Reid & John went to Graves this morning to look after her goods.

Mond. February the 1st John is unwell today with the help of God & he will be well by night Amen.

Frid. 5th Peggy very uneasy for fear we shall all perrish with hunger we have but a little meat left & only part of 3 hides Has to support Mrs. Reid she has nothing left but one hide & it is on Graves shanty Milt is living there & will keep that hide Eddys child died last night.

Satd. 6th Murphys folks or Keysburgs say they cant eat hides I wish we had enough of them Mrs. Eddy very weak.

Sund. 7th Milt here to day says Mrs. Reid has to get a hide from Mrs. Murphy and McCutchins child died 2nd of this month.

Mond. 8th Spitzer died last night about 3 o'clock to we will bury him in the snow Mrs. Eddy died on the night of the 7th.

Tuesd. 9th. Mrs. Murphy here this morning Pikes child all but dead Milt at Murphy's not able to get out of bed Keyburg never gets up says he is not able. John went down to day to bury Mrs. Eddy & Child heard nothing from Graves for 2 or 3 days Mrs. Murphy just now going to Graves

Wednsd. 10th Milt Elliot died last night at Murphys shanty about 9 o'clock P.M. Mrs. Reid went there this morning to see after his effects. J. Denton trying to borrow meat for Graves had none to give they have nothing but hides all are entirely out of meat but a little we have our hides are nearly all eat but with Gods help spring will soon smile upon us.

Thursd 11th John Denton here last night very delicate. John & Mrs. Reid went to Graves this morning.

Frid. 12th We hope with the assistance of Almight God to be able to live to see the bare surface of the earth once more. O God of Mercy grant it if it be thy holy will Amen.

Sat. 13th Mrs. Reid has headacke the rest in health.

Sund. 14th Ellen Graves here this morning John Denton not well John & Edwd E. burried Milt this morning in the snow.

Mond. 15 Mrs. Graves refusd. to give Mrs. Reid any hides put Suitors pack hides on her shanty would not let her have them says if I say it will thaw it then will not, she is a case.

Tuesd. 16th we all feel very weakly to day snow not geting much less in quantity.

Thrsd 18th all in good health Thanks be to Almighty God Amen.

Frid 19th 7 men arrived from California yesterday evening with some provisions but left the greater part on the way some of the men are gone to day to Donnos camp will start back on Monday.

Mond. 22nd The Californians started this morning 24 in number some in a very weak state Mrs. started & left Keysburg here unable to go I burried Pikes child this morning in the snow it died 2 days ago, Paffy Reid & Thos. came back Messrs. Graves & Murty.

Tused. 23 shot Towser to day & dressed his flesh Mrs. Graves came here this morning to borrow meat dog or ox they think I have meat to spare but I know to the contrary they have plenty hides I live principally on the same.

Wend. 24th there has not any more returned from those who started across the mts.

Thursd. 25th Mrs. Murphy says the wolves are about to dig up the dead bodies at her shanty, the nights are too cold to watch them, we hear them howl.

Frid. 26th Marthas jaw swelled with the toothache; hungry times in camp, plenty hides but the folks will not eat them we eat them with a tolerable good appetite, Thanks be to Almighty God. Amen Mrs. Murphy said here yesterday that thought she would commence on Milt. & eat him. I dont that she has done so yet, it is distressing The Donnos told the California folks that they commence to eat the dead people 4 days ago, if they did not succeed that day or next in finding their cattle when under ten or twelve feet of snow & did not know the spot or near it, I suppose they have done so ere this time.

Satd 27th Heard some geese fly over last night saw none

Sund. 28th 1 solitary Indian passed by yesterday come from the lake had a heavy pack on his back gave me 5 or 6 roots resembling onions in shape taste some like a sweet potatoe, all full of little tough fibres.

Mond. March the 1st So fine and pleasant froze hard last night there has 10 men arrived this morning from Bear Valley with provisions we are to start in two or three days & cash our goods here there is amongst them some old they say the snow will be here untill June

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Here ends Breen's diary, he and his family having left with the relief party that took them to Starved Camp.

Chapter XIX

Aide to General Riley

PHILIP AUGUSTIN ROACH, a pioneer, was conspicuous among the men who witnessed California advance from a military-territorial form of government to the status of a sovereign commonwealth of the United States union. He arrived at San Francisco July 18, 1849, little more than a month after General Bennet Riley, territorial governor of California, had issued a proclamation calling a convention to draft and submit to the people of California a constitution for the new state. Early in August, Roach moved to Monterey, then the capital of the territory, and with his characteristic spontaneity, soon was giving aid to General Riley.

It was a critical time with the soldier-governor enmeshed in the subtle arts of statecraft. "Riley was not a little criticized by the Americans for his strict adherence to what he considered his duty. They could not see it as he did, and there was much loud talk about 'military interference'" (Eldredge. The Beginnings of San Francisco). There was need for what is known today as propaganda—a fact which the General might have appreciated.

Roach, with that loyalty to patriotic ideals which distinguished his entire career in California, was not long at Monterey when he realized the importance of helping the man there representing America. He tendered his services to the General. With training in the consular service, a fluency in the Spanish tongue and well endowed with gifts of oratory, Roach's support was welcomed.

The Spanish, or native Californians, were asking questions which were not answered to their satisfaction. The Americans were desirous of exact information as to what form of government the convention might propose for them. A public meeting to clear the air was held at the capital. Both Mexicans and Americans were asked to attend. Roach addressed them in Spanish and English, telling them in detail as he had been advised by the General and other leaders, that a beneficent rule was in the making for the people of California. His explanation of the proposed constitution in harmony with the benign basic law of America, and its effect on personal and property rights, was convincing to both the old and the new citizenry. The effect of his addresses on that occasion was contentment, followed by virtually unanimous approval of General Riley's acts.

He made such a favorable impression on the people of Monterey during his first months among them in forty-nine, they elected him alcalde and judge of the first instance while he was visiting San Francisco. The old residents offered him any office in their giving, but he declined; however, on returning from San Francisco he accepted the honorary office of Alcalde—the last alcalde of the Spanish capital.

The new alcalde did not lose time in coming to the conclusion that a house-cleaning was a pressing necessity in the dreamy old town on the turn of the tide of forty-nine. A fight was promptly instituted by him against gamblers and other undesirables. On January 2nd, 1850, he called a meeting of the ayuntamiento (town council). Roach presided as alcalde. Other officers present were the second alcalde, or suplente, three regidors and the sindico, or clerk. A tax of ten dollars a month was imposed by the meeting on hotels, taverns, booths, barrooms and tents engaged in selling liquors. Gamblers were taxed ten dollars a month extra, and a similar tax was levied on circus performers and theatrical entertainers. This was part of Roach's plan to rid Monterey of unpopular visitors. Nor was it the sole method employed in dealing with the uninvited itinerants, for Roach, as alcalde, caused many of them to be brought before him, and he drove them out of town (A. C. Jochmus, Monterey).

General Riley resigned December 20, 1849. In his place came Peter H. Burnett as the first American governor of California. It was not, however, until the following April that the process of organizing the new government had reached out to the towns. In that month, Monterey was made a city under American law. In its first election Roach was chosen for its first mayor, and so he had the rare distinction of being the last alcalde and the first mayor of the historic capital.

"He was of much use to the administration of General Riley and held the office of judge of the first instance, and under the State organization he was the first mayor of Monterey" (Bancroft. History of California).

Roach was born on Halloween of 1820 in Cork, Ireland. But he did not stay long in Cork, for his father died within two years, and his mother, left with a large family, emigrated to New York. These first years felt the pinch of poverty, yet young Roach went through the elementary schools and later worked his way through higher schools. As a junior clerk at fourteen he began work in the office of an importing firm in New York and remained with the business until 1844, when he was appointed editor of the Sentinel of Vicksburg, Missouri. In the latter years of his employment in business he traveled in Europe as a salesman of American cotton. While abroad he contributed articles on public questions to the New York press and acquired familiarity with the French, Spanish and Portuguese languages. Returning to the American metropolis, Roach participated actively in politics, and in 1845, in recognition of his services, he received the appointment of vice-consul at Havre. Within a year he was promoted to the office of consul in Lisbon.

On receipt of a letter from his brother, Thomas, then a captain in Colonel Stevenson's regiment at San Francisco, he sent in his resignation and returned in 1849 to Washington and thence to California. While on the isthmus of Panama, Roach turned aside from his scheduled journey to aid the victims of a virulent cholera epidemic with two other American volunteers. Their services were publicly acknowledged by the United States consul at Panama.

The people of Monterey gave a farewell banquet to General Riley July 30, 1850. Hidalgos of old Mexican California, leading Americans and officers of the army and navy were brought together for the dinner, as a demonstration of affection for the General on the occasion of his adios to California. On behalf of the citizens of the capital, Roach delivered the farewell address and presented General

Riley with a medal bearing the arms of Monterey—a most unusual decoration, weighing, as it did, one pound of pure gold. The presentation speech, by the way, marked the first anniversary of the pioneer orator among his Californian admirers.

In the summer of 1850, Roach and the Honorable J. B. Wall were appointed a committee to visit and study the missions of Monterey and Santa Cruz Counties. Roach wrote the committee's report after an examination of the pathetic ruins, but it was burned in the fire of 1851, which destroyed much of San Francisco. Nothing has been left to tell the story embodied in the report; nor does there appear to be any record available to indicate its purpose. That Roach was chosen for the work indicates his position before the people of the State in that day.

It is remarkable that of this pioneer, who gave so much of himself to the State, and particularly in the formative years of California, there should be but scant recorded information. Among his contemporaries he stood out, a unique character, whose life work was of the spirit—an ambition to serve; and it may be said of him, clearly his mind was not centered on wealth, this pioneer of California who recked not of the gold of Ophir.

Roach was elected by the Counties of Monterey and Santa Cruz to the State Senate in 1851, and in his first session he introduced and had passed a bill (act of April 12, 1852) providing for sole-traders in California. This law enables married women, under order of court, to carry on business on their own account as if they were single; it is still the law in California (Section 1811, Code of Civil Procedure).

The pioneer period for him may be said to have closed upon his appointment as United States appraiser in San Francisco in 1853. An article on him in the San Francisco Examiner, April 28, 1889, the day after his death, says of him: "For more than forty years he was a conspicuous figure in the social and political history of California.... There have been few men who have borne so conspicuous a part in the history of California as Philip A. Roach, and no man for whom the people had a more affectionate regard. It was shown so often that whenever his name came up for an elective office, the issue was as good as settled."

In the same issue of The Examiner is an editorial article testifying to the eminence of Roach and his fine character. Reading this comment on the dead senator, one wonders why he was slighted by writers of the story of the pioneers. Here follows the editorial:

"The Hon. Philip A. Roach is dead! Though since the accident the other day, which so seriously disabled him, this result was not wholly unexpected, it yet comes as a distinct shock to the community.

"There was no more familiar figure on the streets than that of Mr. Roach. He was a pioneer of pioneers. From his earliest advent in California, even after the days of forty-nine, he was a public man, and from that day to this his career has been one devoted to public affairs and public usefulness. His life has been a busy and a helpful one. He has been closely identified with every element of San Francisco's growth. As the first municipal chief of the young city [Monterey] as legislator, journalist, publicist—in all the multifarious functions and duties of his active and useful career, his voice has always been found pleading for right, and he closes the record of a busy life with a name unsullied. Our pioneers and men of mark are passing away, but the loss of none will be more sincerely regretted than that of Philip A. Roach!"

Two weeks in San Francisco were enough for Roach after arriving in that city in 1849. Gambling and dissipation, prevalent in the community convinced him that it was not desirable for his future home, and he moved to the capital. Having brought the framework for two small houses with a stock of merchandise, he built at Monterey and conducted business in one of the houses. An invitation was extended him to serve as a member of the constitutional convention of 1849, but feeling he had no claim to the honor, having but recently arrived at Monterey, he declined the offer.

Three years later, in the State legislature his influence was so pronounced, according to the San Francisco Examiner, "the term was made memorable from the fact that he introduced resolutions, and had them passed, demanding of Congress that no encouragement should be offered to any race which was non-assimilative. That action made him the father of the opposition to the immigration of the Chinese."

From 1853 to 1861, he retained the position of United States Appraiser for the San Francisco district, to which he had been appointed by President Pierce. His resignation was given in the latter year that he might return to commercial business. Another honor was given him at Monterey, whose citizens elected him Commissioner of Education—a distinction not sought by the recipient. In 1854 he was elected a director of the Catholic Orphan Asylum of San Francisco.

Roach was a director of the Society of California Pioneers in 1857 and 1858, vice-president in 1859 and 1860, and president during the ensuing two years. The Mechanics' Institute elected him an honorary member in recognition of his opposition to state prison labor as conflicting with free labor.

The State Senate had him again in 1873, this time from the northern district of San Francisco. It was then that he advocated the whipping post for brutal wife-beaters, but the act was declared unconstitutional, the punishment being "cruel and unusual," prohibited by the constitution. It must be admitted he had a sense of humor, since he then introduced in the senate a measure to create personal responsibility for newspaper publications, while he was at the same time part owner and editor of the Evening Examiner. The bill met with such opposition from the San Francisco press it was withdrawn. About 1867 he retired from business and entered journalism for the last time. On this phase of his activities his old friend, The Examiner, April 28, 1889, says:

"One of the characteristics which, aside from his remarkably striking figure, made Mr. Roach strong with the people, was his extremely sympathetic nature. That was shown in his conduct of the old Examiner, of which he was for many years a part owner and business manager. He bought into the paper as partner with William S. Moss, Ben F. Washington and George Pen Johnson. They were all remarkable men, but he impressed them. There was no fight that he deemed of public importance and welfare that he could not impress upon his associates, and there was no one with a grievance that could not find a willing ear and entrance to the editorial rooms by talking to the business manager."

San Francisco was agitated in 1876 over Chinese immigration. That was about the time when the cry, "The Chinese must go," was a slogan with stump orators. At a conference in the city Roach was chosen as a member of a commission to seek congressional aid. He went to Washington as a spokesman of the commission in its effort to curb Chinese immigration, and in that capacity held conferences with President Grant, the cabinet and the Foreign Relations Committee of the United States Senate, and he succeeded in prevailing on the joint congressional committee to investigate the issue. There was then a society in New York of returned California pioneers. On Roach's visit on his homeward way the relapsed pioneers tendered him a banquet; and again the Pacific Coast Pioneers made him their honored guest at Virginia City.

"Governor Newton Booth was elected United States Senator on December 20, 1873. Notwithstanding his election to the senate, Booth did not give up the office of Governor, but on the contrary, he retained it until he was ready to proceed to Washington and take his seat in Congress. In the meantime, after the election, Philip A. Roach, partly in expression of his own opinion, and partly in expression of that of others, introduced in the senate a proposed amendment to the constitution to the effect that the Governor should be ineligible to the office of United States Senator, or any other elective office during the term for which he should have been elected Governor. This amendment, though only in part adopted by the legislature, seemed so proper under the circumstances that it played a part in the reasons for calling a new constitutional convention—the question for which was ordered to be submitted to the vote of the people at the next election" (Hittell. History of California).

Roach was public administrator in San Francisco from 1883 to 1887, when he retired from public life to manage the estate of

Thomas Blythe, a position held by him until his death April 27, 1889.

The San Francisco Chronicle in a biographical sketch of Roach, announcing his death, said of him:

"Philip A. Roach was yet a prominent figure in San Francisco when many of the argonauts, who sought the golden state with him, had ceased their wanderings. From the day he landed here in that ever-memorable year of forty-nine, until he laid his honors and burdens down, he was actively before the people; and in his long career held the esteem and respect of the public, who rewarded his honesty and integrity with many offices of trust and emolument. . . . His public record was clean, and he died full of years and honors with the respect and love of those who had known him."

His funeral from St. Mary's Cathedral, San Francisco, was a demonstration in which civic and fraternal societies appeared and many representatives of the press participated.

CHAPTER XX

California a Free State

CALIFORNIA was admitted to the Union of States in 1850, blooming into statehood a free commonwealth at a time in the history of America when slavery was a vital and momentous issue absorbing the nation. The die had already been cast for the new sovereignty that the fair star added to the flag would never be sullied by permitting human bondage within her borders. Credit for this declaration was conceded to an Irish youth, who, as a delegate to the Constitutional Convention of 1849 at Monterey, presented to that body Section 18 of the Bill of Rights, declaring:

"Neither slavery nor involuntary servitude, unless for the punishment of crime, shall ever be tolerated in this State."

One may visualize a man of his years—twenty-seven—rising in the convention amid men of the stature of William M. Gwyn, who soon thereafter was chosen United States senator for California; Thomas O. Larkin, the only U. S. consul to the military territory of California; Edward Gilbert, founder of the Alta California newspaper of San Francisco; H. W. Halleck, then secretary of state under General Riley, the territorial governor; John McDougal, later governor, besides dignified Spanish representatives and others chosen from the foremost men of the state. A draft of the proposed constitution, prepared by a select committee, was before the house, but not a word was there dealing with the critical issue then uppermost in the American mind—slavery.

This young delegate wrote his proposal and moved its adoption. Though the convention was sharply divided between men from the slave states and the northern states, yet it passed unanimously, to the surprise of those of the North.

A noble declaration. And yet, its author was not considered worthy of even a brief biographical sketch by writers of California pioneer history. Which recalls Eldredge's comment, quoted in the preface. Indeed, it is only after wide research that an attenuated sketch of him becomes possible—here in a footnote, therein a passing reference in the text; again a mere mention as if to give background or color to some incidental subject, and finally dipping into books on the State Constitution and the rare "Records of Debates of the Constitutional Convention" by John Ross Browne, another Irishman; only then may a picture of this dynamic personality be drawn.

He was William E. Shannon, born in Ireland in 1822, who died at Sacramento in 1850.

Shannon possessed quick wit, alert mentality and a keen introspective grasp of problems demanding immediate decision. His education and training assured him confidence in himself and whatever cause he espoused. From one source only may be found a touch of personal description of this young pioneer. Julian Dana in his "Sutter of California," recognizing him as the author of the no-slavery declaration in the State Constitution, pictures Shannon as "the silver-tongued, moody-eyed young Irishman." After Shannon's death, George McKinstry, Jr., writing in 1851 with evident regrets for his old associate at Sacramento, mentions him as "one of the crowd," conveying the thought that Shannon was one of a group of friends with whom McKinstry had mingled with pleasure.

In the brief span allotted to him, Shannon was afforded unusual opportunities for displaying his varied powers. An Irish lad of seven years he was transplanted from his native land to New York, coming with his father, who chose Steuben County, New York, for the new home. Before reaching the age of twenty-four he had gained admittance to the New York bar and had begun the practice of his profession there.

President Polk's call in 1846 for a volunteer infantry regiment for service in California was answered by Colonel Jonathan Stevenson in the eastern city. Shannon was given command of Company I. The regiment arrived in San Francisco Bay in March, 1847, and it was assigned to garrison duty. Company I went to Monterey and later to

San Diego, where, in addition to his duties as captain, Shannon served as commandant of the post and collector of the port during the latter part of 1847 and 1848 until his company was mustered out in August of that year. Captain Shannon made his home in the little settlement of San Francisco, but evidently he did not look kindly on his situation, for he next appeared in 1849 as a member of the trading firm of Shannon and Cady at Coloma, then a center of mining excitement. He was alcalde of Coloma, an office under the Spanish system combining the quality of mayor with town judge.

Recognition was given Shannon in the busy mining settlement when the miners were considering the proclamation of General Riley calling for a convention to frame a constitution for California. Shannon took a prominent part in these discussions and he was selected to represent the mining element at the convention at Monterey. There was uncertainty on what the decision might be for the future welfare of California, whether it should be a state with all the attributes and sovereignty of "Free States" under the Federal Constitution. Among the miners were men of education and culture as well as men of settled convictions on their duty to the commonwealth. So the choice of the youthful Irishman to act for them at Monterey was of itself a testimonial to his worth. He was then but twenty-seven and a practicing lawyer, having retired from business.

The convention met in Colton Hall, Monterey—a building now prized for its memories and maintained as a landmark, rich in historical associations. Described as a picturesque assemblage, one may well imagine today how impressive must have been that meeting of East and West, past and present—the stately Dons in their colorful garb in contrast with the plain serious strangers. There were fourteen lawyers, twelve rancheros, seven merchants. The remainder were engineers, bankers, physicians and printers with not a few miners. All were in the prime of life and very much in earnest; and yet dissensions were smoldering until the flat declaration sprung upon the meeting by Shannon disarmed all thought of opposition.

No sooner was order called than Shannon was appointed chairman of a special committee to draft and report rules to govern the deliberations of the convention. When the select committee, which framed the proposed constitution, introduced its report and a Bill of Rights was under discussion, Shannon presented amendments to the first and second sections of the Bill, and they were adopted unanimously as follows:

"Sec. 2. All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and property and pursuing and obtaining safety and happiness.

"Sec. 2. All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people; and they have the right at all times to alter or reform the same, whenever the public good may require it."

These declarations of rights are in the present Bill of Rights of the State Constitution of 1879, excepting the words, "at all times," in the second section, which were eliminated. Corresponding sections in the committee's draft added nothing to the rights guaranteed to citizens by the United States Constitution.

Referring to Shannon and his anti-slavery declaration, Bancroft (History of California) says: "He was an Irishman by birth, and a lawyer, who introduced that section in the Bill of Rights which made California a free State—borrowed, it is true, but as illustrious and imperishable as it is American."

The late Hon. W. W. Morrow, judge of the United States Circuit Court in San Francisco, commended Shannon for setting at rest what he termed "an important critical question." In the introduction to "California Jurisprudence" (Bancroft, Whitney Company), Judge Morrow, commenting on the first constitution of the state, writes:

"The first article of the proposed constitution was entitled 'Declaration of Rights'. While the article was under consideration in committee, William E. Shannon, an Irishman by birth, a lawyer, a delegate from Sacramento district, and locally representing the miners at 'Rose's Bar', on the Yuba River, offered the following additional section:

"'Neither slavery, nor involuntary servitude, unless for the punishment of crime, shall ever be tolerated in this State.'

"The section was unanimously adopted and an important and critical question at that date, was immediately set at rest."

At the same time the question of slavery in the Mexican cession was uppermost in Washington. While slavery had been excluded by a Mexican law in 1837 in New Mexico and California, yet advocates of extension of slavery contended that the transfer of the region to the United States extinguished the Mexican law. Two factions, the free and the slave, were opposing each other in the Congress. The Senate of 1849 saw Clay, Webster and Calhoun meet on this issue. They were supported by brilliant men—orators and political geniuses. California coming into the Union a free state, turned the balance against human bondage. In forty-nine there were fifteen free and fifteen slave states, so California gave the Senate a majority for the North. The value to the nation of Shannon's genius is at once manifest.

In the official report of J. Ross Browne of the debates in the forty-nine convention, Shannon's name appears with the leaders on the floor. Yet he did not wander off into flights of oratory, like many of the disputants; rather he said but little, and that was invariably apt and persuasive. His remarks, though brief, proved him capable of holding to fundamentals.

He stood before that body a heroic figure whenever the inherent rights of freemen were menaced, as may be inferred from his forthright speeches as recorded by Browne. Speaking against a motion that no person while functioning as a clergyman, priest or teacher of any religious persuasion, sect or society, shall be eligible to the legislature, Shannon said:

"We have no right to dictate to the people what shall be the professional character of their representatives. . . . Why sir, you are assuming despotic powers when you attempt, through your Constitution, to tell the people they shall not select their own candidates. . . . It is an anti-republican principle and totally inconsistent with the spirit of our institutions. Upon this broad principal, that the people of the State have a right to select their representatives from whatever profession or class of society they choose, I shall oppose the introduction of the proposed section" (J. Ross Browne. Record of Debates of the Constitutional Convention).

The motion was defeated.

Another instance of Shannon's consistent opposition to laws intended to discriminate against any class of citizens was when he fought a proposition to bar free negroes from California. He declared: "We have forever excluded slavery. We have determined by a unanimous vote that California shall not be a slave-holding state—that involuntary servitude shall not exist within its limits. . . . The slave states, for the protection of their peculiar institutions, exclude free negroes; but we have no peculiar institutions; our state is free from the curse of slavery; and upon that broad principle which we have adopted, of admitting all freemen of all nations, we cannot consistently exclude any race" (Browne).

Returning from the convention, Shannon established himself as a lawyer at Sacramento, where he endeared himself to the people. Within a few months he was elected to represent the district in the first State legislature to convene later that year—1850. He died there in the cholera epidemic of 1850, before the legislature met. His burial was in the "sand hill" cemetery, which was moved or reduced in area years later with the growth of Sacramento. Efforts have been made to locate his grave, but without success. It may be in the New Helvetia Cemetery, now a city park.

William E. Shannon, Irish youth, captain of U. S. Infantry, commandant and collector of the port of San Diego, member of the bars of New York and of California, Alcalde of Coloma, delegate to the first Constitutional Convention of California, and State Senator—at twenty-eight called away to your own. Ave, atque vale!

Chapter XXI

“The War Governor”

DRUNK! aye, drunk with avarice! Behold the picture: California in her cups!”

With this refreshing introduction, Bancroft begins his volume, “California Inter Pocula.” The period contemplated is from 1848 to 1856. Why he set these two dates may be inferred from the book itself, though the period might well have been extended to 1859 or even 1860, when Governor John G. Downey assumed the highest office of the State—its chief executive.

With such a perspective, Downey, a man of keen intellect, kindly sympathies and courage, should be considered; for in shaping California’s destiny in his day he was confronted with problems of a State moulting from the frontier stage into a well-ordered, self-confident commonwealth. And there was real need of such a leader with power and ability to take California out of her cups. Coming out of the serene life of a gentleman on his own lands in Southern California, he was met with perplexing conditions resulting from political misrule and greed in public affairs, as if, indeed, California was still “Inter Pocula.” How he fared in battling for the welfare of his adopted state is history.

Not only were the problems within the State itself issues of a purely local character, but the nation was then on the verge of civil war, with the Pacific region divided on secession. Slavery was an issue adding coals to the fire in statecraft of California’s governor. There was indeed an active element, closely knit, seething in California, familiarly known as the Chivalry faction, representing the attitude of the southern states. Two fatal duels were fought, admittedly the outcome of acrid debates over the North and the South. David C. Broderick was killed by David S. Terry, a supporter of the South, and Charles W. Piercy, assemblyman from San Bernardino

County, was shot in a duel at Fairfax, Marin County, by Assemblyman Daniel Showalter of Mariposa, another southern sympathiser.

The Golden State was still but an "outpost of empire," twenty-one days distant from New York by the fastest mail then possible. In 1860, when construction of the State capitol was begun, the pony express was inaugurated with fitting ceremonies to cover eighteen hundred miles between California and St. Joseph, Missouri. The first run was made in ten days—an event in itself serving to stimulate thought favorable to a real realization that the Pacific was closer to the seat of national government. In other words, it was time to discard swaddling clothes in the land of gold. A new era had begun.

When Governor Downey made his appearance in State politics in 1859, the whole country was in turmoil. He was nominated for Lieutenant Governor with Milton S. Latham for Governor on the Lecompton Democratic ticket. In January, 1860, Latham resigned to take his seat in the United States Senate and Downey was inducted to office as Governor.

In his first annual message, delivered in January, 1861, Downey inveighed against what he termed the extravagance, bad management and dishonesty of former years in the administration of the affairs of the State, which left a deficit of four million dollars—large, no doubt, when balanced with the population of that day. There were no railroads, no capitol, no university or state college, no equivalent in fact for the heavy debt. The message noted that in the first year of Downey's administration expenditures had been reduced within the State's income, and interest on bonds had been promptly paid; and also a sinking fund had been laid aside for redemption of these bonds. After one year of his management, capitalists were seeking the State securities as among the best in the country. In his first year he had a surplus of six hundred and forty-three thousand dollars in the treasury, against which, however, were extraordinary expenses previously incurred for ruinous contracts and maintenance of institutions (Senate Journal, 1861).

During his administration, laws of much public importance were enacted and approved by him (Statutes of 1860-1861). The corner stone of the capitol was laid by Governor Downey May 15, 1861, at Sacramento.

He fought against extravagance, maintaining that taxation as it then prevailed was excessive and intolerable, and he insisted on radical reductions or abolition of the fee system. Through his incessant campaign for economy in all branches of the government; he succeeded in eliminating wasteful systems and reducing costs below income. At the close of his term in 1862, he presented his last message in which he was able to proclaim that his management had resulted in flourishing institutions with the exception of the hospitals for the insane, and also that there was a substantial balance in the treasury.

Governor Downey earned the gratitude of San Francisco by vetoing what was known as the Bulkhead Bill, a scheme designed to give control of the port to a private corporation under State sanction. Certain wharf companies in San Francisco had combined to build a stone bulkhead along the harbor front in consideration of a franchise for fifty years giving them the exclusive use of the wharves. The legislature passed the bill, but the Governor promptly killed it with his veto. One direct result of the veto was quite extensive wharf improvement of immense value to the city. In 1867 the first part of the bulkhead was built, and in later years the stone wall was completed. Under all circumstances, the scheme contemplated a monopoly with the bulkhead company despots of the city (Bancroft. History of California).

The veto message was characteristic of the Governor: "After giving the bill the most careful consideration in all its details, I am led to the irresistible conclusion that its provisions are not only in conflict with the constitution and the principles of natural justice, but that the measure as a whole is calculated to work irreparable injury to our commerce, internal and external, of which San Francisco is and must forever remain the metropolis."

San Francisco went wild with joy, and Downey suddenly became the most popular man in the state, and when he visited the city, he was welcomed with a great popular demonstration (Hittell. History of California).

The board of supervisors of San Francisco by resolution declared: "Governor Downey, by his firm and fearless conduct, officially displayed during the last session of the Legislature of the State, in opposition to acts of that body detrimental to the rights and interests of our city, has merited the approbation and gratitude of the people of San Francisco."

When an attempt was made in the legislature to curb the liberty of the press, Downey boldly denounced the measure in vetoing it. Of this act, one historian wrote: "Downey won the gratitude of the friends of the press by pocketing a bill concerning libel, intended to punish for their outspoken, honest editorials certain papers at the bay that lashed the treasury thieves into continuous fury."

The busy legislature at Sacramento put through a bill giving a change of venue for the trial of a man charged with murder committed in San Francisco. The Governor vetoed it, and the "Alta California" declared: "By this act Governor Downey shows that in the discharge of his duties he is influenced by no other considerations than those of the public good. The conduct of Governor Downey in this and in many other cases affords a striking contrast to the weakness and wrong-doing of many of his predecessors."

The bill was passed over the veto and the accused was tried and acquitted in a distant county for a crime alleged to have been committed in San Francisco.

A clear call to Californians to stand for the Union was given by Downey in his message of 1861: "I feel deep solicitude in the perpetuity of that Union, transmitted to our care by the fathers of the revolution for the benefit of succeeding generations, for the security of civil and religious liberty and honor, glory and power of the American name. You should by joint resolution express your disapprobation of all measures, with which any portion of the Confederacy may be justly dissatisfied or their constitutional rights in the humblest degree affected."

He held to the opinion that the federal compact had recognized slaves as property in the slave states, and he used in his message the term "slave property." It would appear that Downey viewed that property as a thing protected by the constitution and vested in the owner by State recognition, and could not be taken lawfully from the owner without due process of law. Further than that there is very slight evidence that he deserved the criticism of Hittell (History of California) to the effect that "Downey's unionism was not of the kind by which the union could be preserved. . . . It cannot be said that Downey had any special love for slavery or the slave power; on the contrary, he had to a very considerable extent broken loose from the chivalry and what was called the anti-Lecompton Democrat; but, unfortunately for himself, he was hampered with old-time doctrines when slavery ruled unquestioned."

In the presidential election of 1860, Downey declared for Stephen A. Douglas and the Union. The press was solidly behind him in his position on the national question. The San Francisco Bulletin of January 18, 1861, declared the best feature of Downey's message was the portion treating of federal relations, adding: "His remarks in that connection are patriotic, sound and truly Californian. We hope the legislature will be governed by his counsels, for he undoubtedly speaks the mind of the people." The Sacramento Union said: "The Governor's message is a good state paper. Governor Downey speaks like a patriot and a lover of his country, and his whole country."

Simon Cameron, Secretary of War, issued a call for troops from California, July 24, 1861, and again on August 14. The call did not arrive at Sacramento until approximately two weeks later in each case. On August 17, the Governor published his proclamation that troops were demanded. Within a month most of the California quota was filled, and by October 5th five regiments of infantry, one regiment of artillery and five regiments of cavalry were mustered in under command of Brigadier General Edwin V. Sumner, commander of the Pacific Division of the United States army.

Governor Downey addressed a letter to President Lincoln, dated September 2, 1861, reporting that the first requisition for troops had been filled and the command given to Colonel James H. Carleton, as intimated by the War Department. The Governor requested in behalf of the State that Colonel Carleton be appointed Brigadier General, as he was to be given command of a division assigned to Utah for the purpose of keeping open the mail routes. Meanwhile Carleton was assigned to the southern part of the State. He was subsequently promoted to the rank of brigadier general. The Utah command having been given Colonel Patrick Edward Connor of the Third Infantry, he was advanced to brigadier general with a jurisdiction of one thousand, five hundred miles (Records of California Men in the War of the Rebellion, 1861 to 1867, compiled by Brigadier General Richard F. Orton, an official report of the State of California).

General Orton states: "The 'War Governors' of California were John G. Downey, Leland Stanford and F. F. Low, and to their loyalty, zeal and patriotism and their readiness to respond to every call of the Government, is due the promptness with which the different regiments and battalions were organized."

John G. Downey was a native of Ireland, having been born in his grandfather's house, Castle Sampson, Roscommon, July 24, 1827. He came to America in 1842, attended a Latin school in Maryland and served his apprenticeship in pharmacy in Washington, whence he moved to Vicksburg and engaged in the drug business. Sailing for California in an old store-ship, the Sarah, because the passenger ship for which he had been booked, failed to make connection at the isthmus, the voyage was extended to eighty-seven days before ending in San Francisco Bay in 1849.

Even in his early days, Downey's ideal life was living on broad acres. In his new home he turned away from mining to seek an outlet for his long-cherished wish. On his arrival, his capital was ten dollars and a gold watch, which he sold for sixty dollars—enough to pay his fare to Marysville and Grass Valley. Little time was given to the hunt for gold in the placers, so he returned to Sacramento and worked on the levee to earn his return fare. Back again in San Francisco, he found employment in the wholesale drug firm of Henry Johnson & Company. A little paper printed at Los Angeles coming to his notice aroused his curiosity as to possibilities for advancement. The appeal of the printed word induced him to make inquiries among men familiar with conditions in Southern California. He heard of a consignment of drugs and other articles for druggists, and as the market was glutted, he bought the lot for less than the cost price in New York. He sailed with the stock to San Pedro, and there associated himself with a Dr. McFarland from Tennessee, with whom he opened the first drug store in Los Angeles.

The reputation of the store spread until it was said patrons came from Sonora, Mexico, to him for medicines. In three years he had saved thirty thousand dollars. With this money and more from the sale of the business he bought a large rancho and engaged in the stock industry—a consummation of his ambitions. From that time he added to his first rancho until he was owner of seventy-five thousand acres, among them the Santa Gertrudes grant, pictured as a spot of beauty with hot mineral springs.

An enthusiast over the cause of the country he had adopted for his home, he published a monograph for distribution in distant places describing the attractions of the southland and earning for himself the reputation of originator of the booming campaigns of Southern California.

Downey was the first land owner there to subdivide his lands into small tracts and to sell the farms on contracts giving buyers ten years to complete payments. Bancroft (Builders of the Commonwealth) notes: this was at the beginning of the prosperity of the country; still it was not until long after Downey had reaped his rich harvest of gold from his cattle ranges. In this line, Downey was a colonizer. One colony, Anaheim, now the site of a city, was named after his sister. The Downey Block in Los Angeles was the first important building in the south.

"After relinquishing the office of governor, Downey retired to his residence at Los Angeles and devoted his time chiefly to the banking business and the care of real estate. He became an active capitalist and did much toward the development of the southern part of the state. In 1863 he was nominated for governor, but was defeated by

Frederick F. Low. Subsequently he was frequently named in the councils of the Democratic party, which always recognized him as one of its most prominent and trustworthy members, but he did not, after 1862, hold any public office. In person he was well formed, a very little below medium height, ruddy of complexion and active in movement. He was a pleasant man, easily accessible and assumed no airs. He died in his home in Los Angeles, March 1, 1894; and nearly everybody had a kind and good word for him" (Hittell. History of California).

He was an organizer and director of the Farmers' and Merchants' Bank of Los Angeles and served as Collector of the Port of San Pedro.

In his private life, Downey was noted for his kindliness and generosity. Among his benefactions was a gift of land for the site of the University of California in Los Angeles, which was appraised two years before his death at one million dollars. He married in 1852 Señorita Guirado, daughter of Don Rafael Guiardo, a lady of charming personality and culture. An ideal happy wedded life was brought to a tragic close with the death of Mrs. Downey, January 20, 1883, in a railway accident near Tehachapi, in which Governor Downey was seriously injured. Five years later he married Miss Rosa V. Kelly.

"His administration as governor was universally commended, and as a private citizen, and one to whose enterprise and liberality is largely due the prosperity of Southern California, he is no less widely esteemed" (Bancroft. History of California).

In this chapter where authorities are not cited, the text is taken freely from Bancroft's "Builders of the Commonwealth."

Chapter XXII

Revival of a Memory

AN IRISHMAN who distinguished himself in the days of gold in California, was John Ross Browne, author, scientist, traveler, humorist and United States Minister to China. He signed himself J. Ross Browne and by that pen name he was more familiarly known until eventually it faded from distinction.

Of a restless disposition, so fond of adventure and romance as willing to forego creature comforts, and, in fact, to prefer hardships that he might indulge the tastes of a wandering minstrel, he consistently reverted to California, his first love in forty-nine. His native land had but faint attraction for him because he had known it only as a child.

After roaming afar while gratifying an admitted weakness of his romantic nature for the pleasurable sensations of living in strange places among strange peoples, Browne began to yearn for San Francisco. He had lived a while among the pioneers, and he, himself, was one of them. And when he returned in 1863, California was to him a haven of rest. He built his home on an "Eastbay" hillside overlooking the Golden Gate. There he continued to write, and there he died in 1875.

From the time of his first appearance in California until his return he wrote several books and magazine articles. In the meantime there were intervals given to scientific exploration and research, when he prepared informative works for the Government on Pacific Coast mines and other resources.

While there are numerous references to Browne in official reports and California literature and encyclopedias, and occasionally his books may be found in libraries, still his name is almost forgotten, even in the realm of books. Why? The answer is not easily discovered. The fact remains, Browne has ceased to be a vogue, while other authors of the California frontier retain a certain popularity. And this, while competent critics pronounce him the equal of Mark Twain, and, at least, entitled to recognition as one among the foremost of old California authors. It may be that Browne paid the penalty when he went far afield for his material rather than limiting himself to familiar subjects on the Pacific Coast.

Through the work of Rev. Francis J. Rock, Ph.D., now a professor at St. Patrick's Seminary, Menlo Park, California, the best thing yet printed on Browne, has been published as a biography. Written as a thesis for a doctorate degree of the Catholic University of America, it bears the impress of the judicial temper of a scholar considering his theme as a purely literary effort. The purpose of his essay is given by Father Rock:

"One of the earliest frontier districts to develop a considerable literature to its own image and likeness was the gold coast of the Pacific. Here a large, lively school of writers sprang up; yet though many of them later gained universal recognition, the great majority of them has passed entirely out of the popular memory.

"It is the purpose of this dissertation to rescue from oblivion, one of these writers, J. Ross Browne. The nature and volume of his literary work, the active part he played in the development of the Pacific frontier, his own attractive personality, and his significance in the history of literature, call for the revival of his memory."

Recognition of Browne as an author is given by E. Miriam Lone in "Check List of First Editions of the work of John Ross Browne, with a Chronology, 1821-1875." Referring to Father Rock's Biography, which was published but one year previously, 1929, this little compilation states: "This biography is a most thorough and admirable piece of work; it not only contains an exhaustive account of Browne's life, travels, talents and sundry and interesting pursuits, but should, in the reorientation of the significance of his literary production, put Browne's name in that eminent niche in the history of American letters to which it justly belongs."

John Ross Browne was born in Dublin in 1821. Thomas Egerton

Browne, his father, was a poet and journalist of some distinction in the Irish capital, though, perhaps, he was best known as editor of "The Parson's Horn Book," and "The Comet."

In all probability John Ross Browne never might have seen California were it not for the persecution of the English government, which resulted in the exile of his father. The elder Browne, in "The Comet," inveighed against the English system of tithes in Ireland—that is, the imposition of a tax on the Irish peasantry of approximately one-tenth of the peasants' incomes to support clergymen of the established church. A crisis was reached between 1830 and 1833, in a struggle termed the "tithe war." For his editorials, Browne's father was sentenced to pay a fine of one hundred pounds and to serve one year in prison. After three months' imprisonment he was released, his fine remitted, and thereupon he left Ireland for the United States in 1833 with his family. His new home was in Louisville, Kentucky.

Browne, then a lad of twelve, and, as he writes in one of his books, of a romantic temperament, delighted in images of Robinson Crusoe, Don Quixote, and other heroes of fancy. Still, he studied under the direction of his cultured father and mother, drawing the line, however, on searching in the classics for the philosophy and beauty of the ancients. His parents conducted a private academy for girls, while the boy earned a little from day to day at odd tasks until finally he was able to pay tuition in a school of medicine. He soon discovered that the healing art had no appeal for him, so he turned away to discover new worlds.

In 1838 he signed as a deckhand on a river boat plying to New Orleans. He was then but seventeen years of age. In the next three years he traveled two thousand miles in the Mississippi Valley and some eastern states, six hundred of which was on foot. At twenty he found work as a reporter on a Louisville paper, in which position he studied shorthand, and in due time became an expert shorthand reporter.

He continued writing, utilizing such knowledge as he acquired while studying medicine, and his serial articles eventuated in "The

Confessions of a Quack." His first venture made no impression on the reading public.

Still in his twentieth year, Browne went to Washington, D. C., whither he had been preceded by his father. He gained employment as a reporter in the Senate. One session of that "august body" shattered youthful conceptions of public life just as the world was opening up before him. He awoke to a realization of the meanness of political chicanery, as he understood passing procedure within his observation, and so he turned his face toward the open road and away over the sea. Eight months after his entry to the national capital he was a sailor before the mast on a whaler bound from New Bedford to the Indian Ocean. The voyage proved another disappointment, although it afforded a wealth of material for his contemplated books. Some of Browne's admirers placed his narrative of the voyage with Melville's "Moby Dick"—an impossible contrast.

Back again in Washington in November, 1843, he obtained his former position of reporter in the Senate, which he held for some years—drab years, as he noted, yet quite delightful in a social way, his genial personality, enriched with a perpetual fund of humor, the gift of ready speech and acquired culture giving him entree to exclusive circles in the capital.

He married, in 1844, Lucy Ann Mitchell, daughter of a Washington physician, and in less than a year he was engaged as secretary to the Secretary of the Treasury, a post held by him until 1848. His energy and industry combined with his talent for writing, enabled him to finish in this period, "Etchings of a Whaling Cruise with Notes of a Sojourn on the Island of Zanzibar." Then California beckoned to him. The call proved irresistible, and with influence at the capital, he was appointed Revenue Agent on the Pacific Coast and he sailed for San Francisco via the Horn. While the ship was becalmed off Juan Fernandez Island, Browne managed to visit the land with a venturesome party, and there he reveled in imagination which found voice in his next book, "Crusoe's Island." He sailed through the Golden Gate in August, 1849.

On arrival he was notified the position to which he had been assigned had been abolished, but instead he was named Inspector of Postal Service between San Francisco and San Luis Obispo, with authority and instructions to establish postoffices in that territory. He did appoint one postmaster at San Jose, and then proceeded south alone. How far he went is uncertain. In September he was at Monterey when delegates were arriving to attend the California Constitutional Convention, called by Governor Riley. Browne was named reporter for the convention.

His report of the debates of the convention, comprising a stenographic transcript of some addresses and synopses of others, is regarded as an invaluable record of the underlying motives and intentions of the men who framed the State's fundamental law. It teems with material for biographies of delegates and it holds a definite place as a factual source of California history. The convention voted Browne $10,000 for one thousand copies of his report in English and five hundred in Spanish.

Browne returned to Washington in 1851 and sailed for Europe with his wife and two children. He toured southern Europe, the Levant and the Orient, and, retracing his steps, proceeded through Germany and the Norse countries. All the while he was writing as a correspondent and contributing articles for Harper's monthly. Harper's invariably placed his articles in the lead. At the same time he amassed notes for subsequent books. He returned to California in 1863, and wrote his "Report on Mineral Resources of the States and Territories, West of the Rocky Mountains," an official document still highly regarded as a work of reference.

He was honored by President Johnson with the appointment of United States Minister to China. Conditions in the Orient in relation to his country, however, did not meet with his approval, and Browne resigned his portfolio and retired to Oakland.

Besides his scientific works and numerous magazine articles, Browne wrote "Adventures in the Apache Country," "An American Family in Germany," "Confessions of a Quack," "Etchings of a Whaling Cruise," "The Land of Thor," and "Yusef, or a Journey of the Frangi."

In the introduction to "California Jurisprudence," the late Judge W. W. Morrow, referring to Browne's report of the constitutional convention, wrote: "The State is indebted to him for a very valuable report of the proceedings."

"J. Ross Browne, who lived in the foothills back of Oakland, ending his varied career in 1875, in some of his work drew truer pictures of California life than Bret Harte or Mark Twain, whose characters were oftener exaggerations than types. . . . Californians read his books and enjoyed them" (John P. Young, San Francisco, the Pacific Coast Metropolis).

Charles Howard Shinn, the kindly, discerning critic and author, says of Browne in his "The Story of the Mine": "No writer of the time better knew how to use his materials."

Bancroft (History of California) writes Browne was "one high in authority." In his Literary Industries, XXXIV, 313, is a statement to the effect that Bancroft submitted to Browne and others the manuscript of his "Native Races." "When the plan of the 'Native Races' was fully settled, and the first volume and part of the second and third volumes were in type," he writes, "I invited a number of men eminent in their several callings, and in whom I knew the public had confidence, to inspect my work and report. . . . Among them was J. Ross Browne, probably the foremost writer on the coast."

Three pages of her book, "The Story of the Files, a Review of Californian Writers and Literature," are devoted to Browne by the author, Ella Sterling Cummings. In this highly appreciative sketch, she expresses the opinion that "no book of travel is more charming than 'Yusef,'" considered one of Browne's best books.

Withal, Browne was but one of the Irish pioneers, who helped to gild frontier California with some of its color and romance.

Chapter XXIII

Romance of a Squatter

IN THE geographical center of San Francisco is a wide expanse with indefinite boundaries, which has been known since 1850 as "Hayes' Valley." Running through it, approximately from east to west, is Hayes Street. And there is every reason to believe that the street and the valley will continue to bear the name of a pioneer, who came from Ireland to the United States when a child and arrived in San Francisco in his prime in July, 1849—Thomas Hayes.

Officials of the city, in naming the streets of the Western Addition to San Francisco, gave his name to the street. Through a custom of pioneer days of applying to various parts of the city distinctive titles, the people called the district, where he had built his residence and pre-empted land sufficient for a large farm, "Hayes' Valley."

Long ago, contours, framing the valley, were leveled, where a United States geodetic map of 1853 shows rolling hills, with the Hayes home set amid "scrub" oaks. In Barry and Patten's "Men and Memories of San Francisco in the spring of 1850," the house is described as a favorite stopping place of equestrians riding from the town to the Mission Dolores: "Nearly all the residents of San Francisco in those days rode horseback, used the Mexican saddle and all the jingling accouterments. They rode through sanddrifts and scrub oaks until they came to the Colonel Thomas Hayes house, where it was customary to stop awhile, for there were always many there chatting, while their horses rested. This long, white house stood diagonally with the Mission Road, in a little open space, where ground was firmer than the deep sand outside the circle of small trees and shrubs surrounding it—a spot where one would naturally halt to rest were there no hospitable roof upon it."

"Hayes owned a large tract of 160 acres in Hayes Valley, which the

Van Ness Ordinance confirmed to him, and his residence occupied the block bounded by Hayes, Grove and Franklin Streets and Van Ness Avenue, where, amid trees and flowers he kept open house and dispensed generous hospitality" (Eldredge. The Beginnings of San Francisco).

Hayes, in 1850, named his house "Travelers' Rest." Two year later he changed the title of the home in the wilds to "The Hermitage." Viewing the situation of the Hayes home and current events and conditions in the little town of San Francisco at that time, both names seem to have an appropriate signification—a rest for the travelers over the dunes; and again, the suggestion of a retreat, where the lord and master lived apart; for such was the house for many a day, until Hayes was joined by his brother, Michael Hayes.

Thomas Hayes, who bore the title of Colonel in the state militia, was a native of Ross, Cork County, Ireland. As a child he accompanied his parents to New York. When the news of gold reached him, Hayes determined on sailing for California. He collected a quantity of merchandise, which he had learned would be saleable in the market on the far-distant Pacific, and took the long voyage with his goods round Cape Horn, ending in San Francisco Bay July 1, 1849.

On reaching San Francisco, Hayes lost but little time in getting on his feet. Like the mariner on deck, taking his bearings, the time required for discovery was surprisingly short; and once obtained, he sped forward with the wind, and, at times, against it. His speed in his first and second year in San Francisco mystified lawyers and men specializing in land titles in the city. He probably began by selling the merchandise brought from New York. His first position was that of deputy sheriff; and, it is supposed, that while in that capacity, he discovered possibilities of acquiring title to city lands without cost, or at most, merely nominal outlay. This is self-evident from the fact that he claimed Hayes Valley—a considerable portion of the Western Addition—in 1850, when he "moved in" and took possession—a squatter building his house upon the land.

Before he was one year in San Francisco, he had looked over the ground with an eye to the future. He located the Spanish grants in the vicinity of the old mission, and to the south and north near the Presidio more Spanish grants, while the eastern side of the peninsula had been well laid out and much of it conveyed by alcalde deeds to settlers. And in between—in the very heart of San Francisco—Hayes realized there were hundreds of acres still unclaimed. That was a busy year for him. He settled upon the open territory and took unto himself a "quarter section" without asking anybody for it.

Hayes could not be suspected of modesty or timidity, for he filed a pre-emption claim in August, 1850, after having his tract of one hundred and sixty acres surveyed and mapped. The pre-emption was but the first step in perfecting the title to this rancho of his in the heart of the city. He filed his map and a description of the property with the city assessor, and thereby had the tract placed upon the city's assessment roll. In due time he received his tax bill. So far, he was assured, official recognition was given his claim. Hayes did not pay the tax, but allowed it to go delinquent. The property was sold for delinquent taxes and Hayes had it bought by a friend, whereupon the friend conveyed it to him in a bargain and sale deed. Thus, Hayes obtained a second title. It is stated by lawyers familiar with the title record of the tract, that he obtained at least five distinct titles. Finally, Hayes' claim was confirmed by the Van Ness ordinance in January, 1885 (W. P. Caubu and Harry McKanny, counsel for heirs of Thomas Hayes).

The original map of the Hayes tract, saved from the fire of 1906, is preserved in the office of the County Recorder, in the first book of maps, as it was recorded at request of Thomas Hayes March 8, 1860, just ten years after a copy had been made and filed with the assessor. When the map was drawn, the city survey did not extend west of Larkin Street, beyond which was a blank, so far as San Francisco could be considered; and consequently there were no lines to influence Hayes in an arbitrary selection of the boundaries of his tract. He laid down a great square, placing it diagonally across the Western Addition streets, which he had indicated on his map by producing westward the lines of original streets of the city. The subsequent Western Addition official survey followed the Hayes map.

The description of the tract begins on "the west side of the road leading from San Francisco to Mission Dolores," whence the first line is run northeasterly to "the northwest corner of Yerba Buena Cemetery." The beginning is shown near Brady and Stevenson Streets and the easterly line crosses Market Street and Van Ness Avenue, through the present City Hall site, and Civic Center, to the front of the Public Library, and thence to Turk and Laguna Streets, through Jefferson Square, and southwest to Webster and Oak Streets. The fourth line continues from the last point, crosses Market and Valencia Streets and ends where the old Mission road turned from Mission Street (Map of Hayes Tract, San Francisco official records).

Hayes established an amusement park in his tract, which proved a welcome attraction to San Franciscans. At first, the only recreation place was on Telegraph Hill or along the beach beneath. The Russ Gardens opened in 1853 and were liberally patronized, especially on Sundays, till 1860, when the new Market Street Railroad gave facilities to reach the "Willows," at Valencia and Nineteenth Streets—a spot much sought after because of the abundance of shade and shelter afforded by the willow trees. In 1861, Hayes added his park, which had a large pavilion at Laguna Street, and became a favorite place for picnics and Sunday gatherings until it was superseded by Woodward's Gardens in 1866 (John S. Hittell. History of San Francisco).

From 1853 to 1856, he served as county clerk of San Francisco. David Scannell, the veteran chief of the San Francisco Fire Department, was then the sheriff. In 1856, when Van Ness was mayor, the Vigilantes made demand on the city officials to resign their respective offices and turn over the city government to the revolutionary committee. Hayes bluntly refused to relinquish the office to which he had been elected by the people of the city. In the same year he was captain of the National Lancers, a military company, and when called to serve with the other militia bodies to guard the county jail against a possible mob assault, he led his company into a designated position, where he stood guard all night with his men. He took an active interest in public affairs and was prominent in the Democratic party.

In the late fifties, Hayes was a man of wealth, comparative as it may have been, and he began to put into execution his plans for a street railway in Market Street to the Mission Dolores settlement. There was then only a plank roadway along Mission Street to the Mission, and a trail through sand dunes between the city and the Mission.

Bancroft (History of California) says the railway, contemplated and quickly built by Hayes and his associates, was the first one in San Francisco; and yet this historian fails to give credit to Hayes for the enterprise, but dismisses the subject in these words: "Among those who assisted to build the Market-street Railway, the first one in San Francisco, is John Hayes, who was born in Ireland in 1824, was educated in New York, and came to California in 1850, soon afterward beginning a prosperous business career at Sacramento." John Hayes was a brother of Thomas Hayes.

The early San Francisco city directories gave considerable space to city improvements from year to year. In the directory for 1860, under the heading, "Market Street Railroad," is the following account: "This road, incorporated in 1859, extends from Market Street to Mission Dolores, a distance of three miles. The capital is $250,000. The laying of the rails commenced June 7, and the road was completed July 4, 1860. This enterprise is one of considerable importance to the future growth of San Francisco. . . . Real estate has been made more valuable, and the comfort and health of the inhabitants advanced in a remarkable degree. These results, so widely known and appreciated in the Atlantic states, are certain to follow in this city from the construction of the Market Street Railroad. President, Thomas Hayes; Secretary, S. C. Simmons; Directors: Thomas Hayes, Peter Donahue, Michael Hayes, J. P. Havem, H. A. Cobb, Frank McCoppin."

Donahue, McCoppin, later mayor of San Francisco and author of the statute giving Golden Gate Park to the city; Colonel Thomas

Hayes and his brother, Michael, a successful real estate man in 1860, were Irishmen.

In the city directory of 1863 there is this note on the new street railway: "The travel over this road to and from the Mission, Hayes Park and intermediate points, since its opening, has been immense and beyond calculation."

Hayes was elected in 1868 a delegate from San Francisco to the Democratic national convention in New York City. While on board a steamer on the voyage to New York, via Panama, he died June 23, 1868. When his body was brought back to San Francisco, the Board of Supervisors adopted a resolution expressing sympathy and the sorrow of the people of Hayes' adopted city.

This resolution is one of the few documents saved from the fire of 1906 and placed in the vault of the city treasurer. It reads:

"Whereas, The remains of the late Colonel Thos. Hayes are to be interred in this City on the 27th day of March, inst.; and

"Whereas, Colonel Hayes was one of the earliest and most active and useful of the pioneer residents of San Francisco, having arrived here in July, '49, and having at once made San Francisco his home, and having continued until his death, encouraged and help to build up all its material, moral and educational interests, and having always displayed an almost exceptional hospitality and charity; and

"Whereas, He was, from the earliest times, employed in many offices in this city of honor and responsibility, commencing with a deputy sheriffship, under Colonel Jack Hayes, having been County Clerk for two terms and president of the Charter Convention of this city, which paved the way for the Van Ness Ordinance and the Consolidated Bill, and other public benefits; and

"Whereas, In all his official acts he sustained the character of an upright, honest and honorable officer; and

"Whereas, He was also a member of the Assistant Board of Aldermen in the year 1852, which was one of the progenitors of our present Board of Supervisors; now, therefore, in consideration of the premises, it is hereby

"Resolved, By the Board of Supervisors of the City and County, that a vote of sympathy, respect and condolence be passed by this body upon the death of the late Colonel Thomas Hayes, and that a copy of this resolution be presented, by the clerk, to his afflicted family, and that this Board attend his funeral in a body and wear the usual badge of mourning for thirty days.

"Adopted unanimously, in the Board of Supervisors, March 21, 1870, THOS. H. SELBY, Mayor.

"Adopted unanimously: Winkle, Harold, McCarthy, Ashbury, Badlam, King, Story, Strader, Adams, Canavan, Kelly, Flaherty.

"JNO. A. RUSSELL, Clerk."

Hayes amassed wealth, variously estimated at more than a quarter of a million dollars. What became of it nobody now living knows; it disappeared as grains of sand, wind-blown off the dunes. On April 30, 1866, he received $80,000 from Henry F. Williams, and $20,000 from Charles Mayne for a four-fifths and a one-fifth interest in the residue of his land holdings in Hayes Valley tract. Both transactions were closed shortly before he left San Francisco on his last voyage. The sums were only part of his estate.

In arranging for his voyage to New York, Hayes made his will May 29, 1868, announcing that as he was about to leave for the Atlantic he wished to make the will. He appointed his friend, Henry F. Williams, executor and trustee, without bonds and with plenary powers in managing and sale of his estate. A number of trusts were created in the will for the benefit of his father and other kin. The residue of the estate, after payment of some minor bequests, was left to the children of his brothers, Michael and John Hayes, and a sister, in trust until they came of age; and he "earnestly enjoined" an observance by the executor of applying the interest to the education of the children. Hayes died a bachelor.

The will was admitted to probate in August, 1868, when Williams was appointed executor. Administration was never finished. The executor died in 1903. In 1906 all records of the estate were destroyed in the San Francisco fire. It was not until March, 1931, when Mrs. Katherine Ruth Hayes Allen, of Sacramento, a daughter of Michael Hayes, for herself and three other heirs, filed a petition in the San Francisco probate court for letters of administration with the will annexed. A copy of the will had been discovered in possession of an heir in New York, and it was admitted to probate in San Francisco under the Destroyed Instruments act.

Thereupon, Mrs. Allen began action against the city, claiming lots fronting on Van Ness Avenue—two blocks occupied by the War Memorial buildings. She lost her case.

To the vision of Thomas Hayes, San Francisco is indebted for Van Ness Avenue, the main city artery from north Bay to Market Street, with a width of one hundred and twenty-five feet. When he filed his map of the Hayes tract, the avenue was laid off on lines equalled only by Market Street, which had been planned and surveyed by Jasper O'Farrell, the civil engineer, who gave the city its magnificent central thoroughfare.

To Hayes, furthermore, is due the distinction of building and operating, with others, the first street railway in San Francisco.

CHAPTER XXIV

Men of Iron

DUE to the initiative, enterprise and skill of Peter, James and Michael Donahue, brothers, Bancroft (History of California) declares, "We have the inception of the iron industries on the Pacific Coast." Pioneers of 1849, argonauts as they were, the Golden Fleece was not of their seeking. Their king was iron. They established the first iron works, made the first iron casting, built the first printing press, the first steam engine, the first mining machinery and the first quartz mill in California, and the first city gas works and the first street railway system in San Francisco.

Beginning in a tent on Montgomery Street, San Francisco, these men worked together in a primitive blacksmith's shop. With but little source of supply for equipment or materials, undaunted, they began with such substitutes as they found available. They obtained a blacksmith's bellows, an anvil, part of an old steamship funnel for a furnace, and whatever else they could gather from shipping; and with scrap iron from the fires of 1850 and 1851, they established California's iron industry.

While referring briefly to James and Michael Donahue, Bancroft (History of California) relates of Peter and his works:

"Peter Donahue, the Irish foundryman of California, was born at Glasgow on January 11, 1822, of Irish parentage. Brought to America at the age of eleven, he was placed as apprentice at the machine shops of Paterson, New Jersey, and after some experience at other foundries, he went to Peru in 1847, as assistant engineer of a gunboat, passing thence to San Francisco in charge of the Oregon's machinery. His brother James, a boiler maker, met him here, and jointly they opened a smithy on Montgomery Street, moving in the following spring to the Happy Valley region, south of Market Street, on First Street, to form the beginning of the present Union Iron Works.

"Taking into partnership their brother, Michael, a moulder, thus forming a union of three leading arts in their craft, they made the first castings in the state, constructed the first steam engine, later in use on the Tiburon (bay ferryboat), the monitor Camanche, and other important works. Michael returned east and became thrice mayor of Davenport, Iowa.

"Peter entered with zest into a number of enterprises, assisting to establish the San Francisco gas works in 1852-4, the Omnibus street railway, the first of its kind in San Francisco, and the San Francisco and San Jose railway, the profits and sale money from which enabled him to build the San Francisco and North Pacific Railway. His zeal for industrial undertakings hastened his death, which occurred November 26, 1885, and held him back from political and other honors, although he accepted the position of Lieutenant Colonel on General Cobb's staff, and for a time the presidency of the Society of Pioneers. There is room for many imitators of Colonel Donahue's successful career."

Visiting an iron works in Baltimore, Peter Donahue met Irving M. Scott in 1859. He was attracted to a steam fire-engine, then a novelty, bought it and had it shipped to San Francisco, where it caused a sensation.

Without doubt this engine is one of the interesting exhibits in Sutter's Fort museum. A card attached to the exhibit gives the information that the engine was the first steam fire-engine brought to California; that it was tried in San Francisco, but being too heavy to be moved in the sand, it was sold to the city of Marysville. In later years Marysville presented it to the museum.

It was designed in part by Irving M. Scott and built under his supervision in Baltimore (Bancroft. Chronicles, I, 450).

Donahue engaged Scott as a draftsman for his San Francisco plant. For many years Scott was president of the Union Iron Works in San Francisco, one of the great shipbuilding and iron industries of the United States. In Bancroft's Chronicles of the Builders of the Commonwealth is a biography of Scott, noting that "among the first manufactures in San Francisco was that of iron." The biographical sketch continues to recount the fact that the Donahues were first in everything relating to the industry from the time that their materials commanded "fabulous prices":

"But soon material became cheap and plentiful enough, for all the conflagrations which had laid waste the business portion of the metropolis, old iron could be had for the asking at $20 a ton. This the Donahues moulded into forms, which brought them $200 to $400 a ton, and then they began to make money. Presently their roofless structure gave place to a more pretentious building. Here we have the inception of the iron industries on the Pacific Coast" (Ibid.).

James Donahue in 1856 retired from the iron business to assume the presidency of the San Francisco Gas Company, an office he held until his death, August 17, 1862, while Peter continued with the iron works. Barry and Patten (Men and Memories of San Francisco in 1850) state that James was "one of the most practical and useful citizens ever known in San Francisco," whose "great energies were always directed toward some object which ultimately resulted in public improvement and the welfare of his fellow citizens . . . we recall not one more useful and upright citizen than the late James Donahue." Barry and Patten describe the iron works on First Street: "There were buildings on both sides of First Street. The tide came up under the workshops on the east side of the street. It was here that James and Peter Donahue commenced laying the foundation of the fortune which has ever so generously aided all enterprises and charity, and every scheme for the advancement of the public good, aside from private deeds of kindness, and 'more good by sealth' than can be recorded."

The life story of Peter Donahue is preserved in the archives of the Society of California Pioneers in a volume labeled Obituaries and kept in the Society's vault. This record is drawn upon for the following facts. Peter Donahue came to America with his mother and the family settled at Mattewan, New York. He was born in 1822 in Glasgow, where he attended school. His first manual labor was in a cotton factory at Mattewan. Two years later he was apprenticed to the millwright and engineering trades in a locomotive plant at Paterson, New Jersey, and on arriving at his majority, he began work as a journeyman in the iron industry in New York. He arrived in San Francisco in 1849, and at once went to the mines. Nine days were taken in a trip on a schooner to Sacramento, where with companions the party continued on an ox team of their own to the placers. Not content with the uncertain recompense of the gravel mines, he returned to Sacramento, walking with a bear skin and blankets on his back. At Sacramento he built a sawmill upon a scow. This work done, he continued to San Francisco to meet his brothers, James and Michael, who had just arrived overland from Mexico, where they had served in the war as American soldiers.

Michael had enlisted in the American army and fought in the Mexican war, while James had been employed by the Government to superintend the building of a foundry and machine-shop for repair of American vessels during the war, at the Brazee, San Diego, Mexico. James was joined there by Michael, who had been mustered out, and the two brothers were placed in charge of the United States works, James as the superintending engineer. The war over, the three brothers were united in San Francisco.

The Pioneer Society biographer repeats that the Donahues were in the van as the first men in the iron industry on the Pacific Coast. In 1852 the partnership was dissolved, when they obtained a franchise from the City of San Francisco for construction of a gas plant for illuminating the city's streets and homes. Within two years San Francisco was given its first gas illumination—a milestone in the progress of the ambitious town. James Donahue was the second president of the gas company. J. Mora Moss its third president, and for many years Peter was president and chief stockholder.

Simultaneously with the completion of the gas enterprise, Peter established an opposition line of steamboats on the Sacramento River. Like his previous ventures, this was a financial success. At the same time he had the steamships Goliah and Hermann plying up and down the coast.

Still another enterprise engaged his attention in 1861—a street railway system for San Francisco. Soon the city was riding on the "Omnibus" cars in all directions. The omnibus lines were profitable until in the course of years as the city expanded and new companies appeared, the old company was acquired by predecessors of the present Market Street company.

During the civil war a naval vessel was constructed in San Francisco—the first of its kind on the Pacific Coast. The "iron-clad" was built by Peter Donahue, J. T. Ryan of Eureka and M. Secor of New York, and in three months after the parts had been laid down from New York, she was ready for service. They called her "Camanche." By that name she was known at Mare Island navy yard for a generation of ships—a monitor—a curiosity and a relic of the rebellion.

Peter Donahue, H. M. Newhall and Charles Manin in 1862 built a railroad from San Francisco to Gilroy, a distance of eighty miles, without state or federal aid. It was subsequently sold to Leland Stanford. With the proceeds from the sale of his share, which was quoted at one million dollars, Peter Donahue began to build the San Francisco and North Pacific Railway. The road to Gilroy is part of the main line of the Southern Pacific coast route from San Francisco to Los Angeles. The San Francisco and North Pacific, with its extensions built by Donahue and his son, the late Mervyn Donahue, is the present Northwestern Pacific Railroad, which penetrates the Redwood Empire on its way from San Francisco through Sonoma to its terminus at Eureka in Humboldt County.

The biographer of the Pioneer Society notes that Peter Donahue employed only white labor in building his railroads, adding "Mr. Donahue was steadfastly opposed to the employment of Mongolians in any service which would be antagonist to that of the white race."

As related by the same authority: "All the engines, rolling stock and miscellaneous materials of the Sonoma Valley railway were turned out at his own foundry and machine shops in the City of San Francisco."

When the trunk line was completed, Donahue built a branch road from Fulton to the Russian River, a distance of eighteen miles, and when the line was in successful operation, he constructed the roadbed from Petaluma to San Rafael and finally to Tiburon on San Francisco Bay. Part of the road through tunnels and marshland demanded heavy expenditures, yet Donahue financed the entire project out of his own pocket. In 1879 he built another branch from Sonoma to the mouth of Sonoma Creek, where the ferry steamer, James M. Donahue, connected with San Francisco.

Meanwhile Donahue engaged in other interests, and in quite a generous way. He was a director of the Hibernia Bank for fifteen years and one of its largest stockholders, and a director of the National Gold Bank of San Francisco. He served as a director of the State Investment and Insurance Company in 1880, and at one time as its president, which office he resigned in favor of Mayor A. J. Bryant.

In the fall of 1852 he married Miss Jane Maguire in New York City. After her death he married Miss Annie Downey, a sister of Governor John G. Downey. Two children of the first marriage survived him—James Mervyn Donahue and the Baroness von Schroeder. He was a life member of the Society of California Pioneers, and its president in 1872-3. Withal his busy years, yet he found time for social, benevolent and civic activities.

The name of Peter Donahue appears but once in Hittell's "History of California," and that in a chapter on Pacific Railroads, describing the old San Francisco and North Pacific Railway as having been built "under the management and control" of Peter Donahue—the man who financed and owned the railway and actually towered above pioneers who were given pages by Hittell.

James Donahue was one of a group of San Francisco's prominent men who undertook to bring about an accommodation and settlement between the Governor of California on one side and the Vigilance Committee of San Francisco on the other when the Vigilantes were opposing the Law and Order element. The attempt was in vain (Hittell. History of California).

CHAPTER XXV

The Pious Fund Revived

JOHN T. DOYLE was one of an interesting group of scholarly men that adorned the pioneer bar of San Francisco.

Except for comparatively few of the eminent layers of long ago in San Francisco, whose eloquence and force have kept alive their memory, one hears but little now of other members of that bar, though they accomplished much for California. A leader of the latter class was John T. Doyle. He disliked public notice and worldly acclaim, preferring, after his day's work was done, the pleasure of his home, his books, his vines and fruit trees.

What he did in the legal profession was but part of this versatile man. The original edition of "Bench and Bar of California" says of him: "Mr. Doyle's celebrated cases are too numerous to mention."

As a critical student of Shakespeare, Doyle distinguished himself among foremost Shakespearean scholars. In the "Overland Monthly" for July, 1886, there appeared as a letter to Lawrence Barrett, the tragedian, an article written by John T. Doyle, entitled "Shakespeare's Law—the Case of Shylock." The article has been incorporated by Dr. H. H. Furness in his great Variorum edition of Shakespeare. In a note to the "Merchant of Venice," Dr. Furness writes, "It supplies information in regard to legal procedure of the Trial scene, which I have searched for in vain elsewhere, and presents Portia's conduct of the trial in a light certainly novel."

In substance, Doyle's article noted that, to the lawyer, the trial scene in the "Merchant of Venice" seemed inconsistent with Shakespeare's supposed legal learning, for the proceedings in it are such as never could have occurred in any court administering English law.

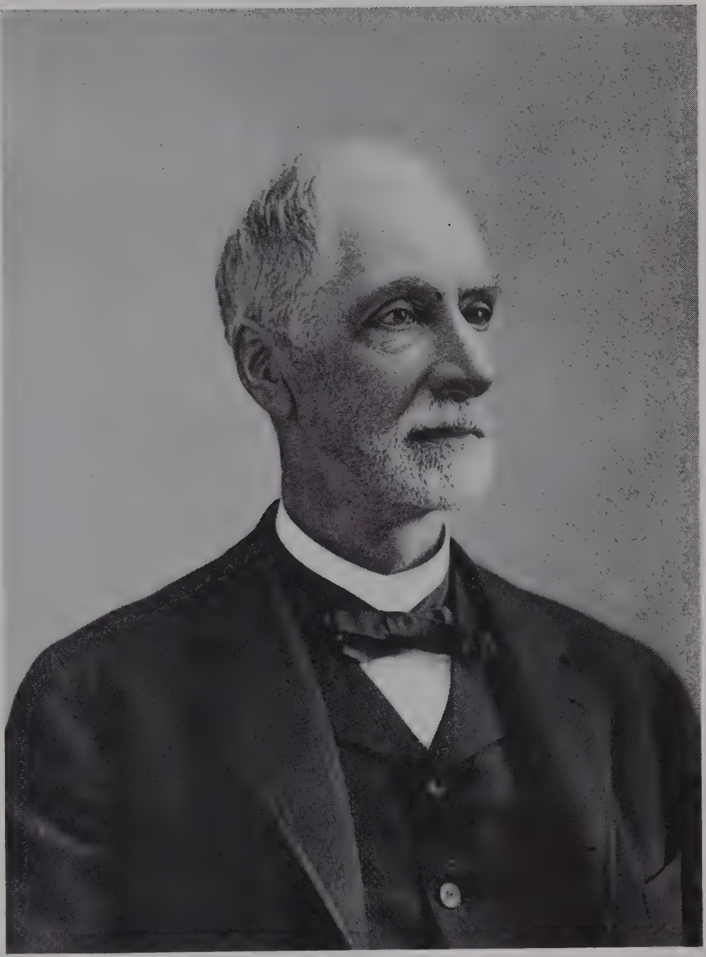
In his earlier studies, Doyle regarded it as an instance of the failure of the cleverest men (not themselves lawyers) to introduce a lawsuit into fiction without violating the common rules of procedure.

A sojourn in Nicaragua in 1851-1852 caused him to change his opinion. Becoming engaged in litigation there, Doyle one day was accosted by a "dapper little man carrying an ivory-headed cane" (called Vara de Justicia), who approached him saying "El Alcalde le llamar"—the Alcalde sends for you. As Doyle paid no attention to the statement, a person present informed him that the man with the cane was an Alguacil, whose oral notice was a lawful summons to appear before the alcalde at the Juzgado, or court; and thereupon he hastened to the tribunal. He was greeted ceremoniously by the alcalde, who then sent for the plaintiff. Soon the Alguacil returned with the complainant and the judge heard the statement of each party. A day was set for trial and the judge proposed to submit the issue to a practising lawyer as a juriconsult, whom he named to try the case, subject, however, to challenge by either party. On the trial day the alcalde referred the case to the lawyer, who a few days later returned his decision. After decision, Doyle received an intimation that the juriconsult expected a gratuity for his services, and he learned that under this system of administering justice, the alcalde merely ascertained the facts, while the case was referred to the lawyer for trial; and as customary that judicial officer was entitled to a gratuity from either party.

So it is in the "Merchant of Venice" trial. The juriconsult is Bellario, who, being absent, deputed Portia to take his place, and she accepted a ring as her gratuity.

Furness' comment on Doyle's paper is, "I have long thought it an extremely valuable contribution to Shakespearean literature, and one which never can, or rather, should hereafter be overlooked in any critical edition of the "Merchant of Venice."

In literature he had a keen appreciation of the best, and his superb library was a repository of varied lore. He took delight in Shakespeare, and had collected many famous editions of the master's works, as well as of Horace and Don Quixote (Oscar T. Shuck, His-



JOHN T. DOYLE

Courtesy of the Society of California Pioneers

tory of the Bench and Bar in California). It has been said of him that, in the immortal work of Cervantes, he admired its lofty moral ideal beyond its humor and satire, and his liking for the Don verged almost on veneration. Of Don Quixote he possessed a copy considered a great rarity, being the Spanish Academy's *editio princeps* with a mass of illustrations by various great artists read into the text and enlarged where necessary by extra margins to its size, making eight large volumes of exquisite examples of presswork, illustrating and binding. He edited and published an edition of Palou's Noticias in Spanish, each volume numbered and initialed by himself. Number 10 of this edition is in the San Francisco Public Library.

The manuscript, "Historia de California," by Don Antonio Maria Osio was eagerly sought for by Bancroft in his collecting of original documents as sources for his history. It is now in the Bancroft Library at the University of California. He writes he obtained it through the courtesy of John T. Doyle—"A work of much merit, which with those of Alvarado and Bandini make the collection for this period most complete."

When Peter Donahue was laying plans for a street railway in San Francisco, Doyle learned that a bill was before the state legislature, granting to Donahue and his associates a state railroad franchise in San Francisco, he went to Sacramento and got an eight-hour clause inserted in the proposed measure that would limit the hours of labor on the enterprise to an eight-hour day. The bill, however, passed without the clause.

In association with Governor Haight, Eugene Casserly, and others, he bought the Las Pulgas Rancho in San Mateo County, in which are peninsula suburban towns. He straightened out the tangled title, sold the land in tracts, laid out Menlo Park and built his residence there.

The recovery of the Pious Fund by John T. Doyle, as a distinct achievement in litigation, is given a place among famous trials. To his work in gathering the evidence in Spain, Mexico and California, Doyle brought an intimate knowledge of four foreign languages—Spanish, French, Italian and German—and a command of international law and civil law. At the request of Oscar T. Shuck, editor of the "History of the Bench and Bar of California," published in 1901, he wrote an article on the subject. The narrative, told in simple language, embodies a vast collection of facts, making it a valuable contribution to documental data on the state's story.

Following the discovery of Lower California, the Spanish monarchs ordered the colonization and the conversion of the natives of the vast unexplored region known to them as California. However, nothing was accomplished in this direction until royal authority was given Fathers Kino and Salvatierra of the Jesuit order to undertake the reduction of California, on the express condition that possession of the country was to be taken in the name of the Spanish crown, and that the royal treasury was not to be called on for any of the expenses of the enterprise, without the express order of the king.

The two missionaries solicited and received from individuals and religious bodies in Spain contributions to enable them to prosecute their plans. The monies thus received were placed in trust and formed the nucleus of a fund for the propagation of the Catholic faith in the Californias, and in time it acquired by common acceptance the name of "The Pious Fund of the Californias."

Within seventy-two years fourteen missions were established on the California peninsula, and afterward twenty-one missions were founded by the Franciscans in Alta California, the interest from the fund meanwhile being applied to their maintenance.

Under a decree of Santa Anna, president of Mexico, in 1842, the properties of the fund were sold for a sum represented by its income, capitalized on the basis of six per centum per annum. The proceeds of the sale, and also cash investments, were paid into the public treasury of Mexico. The Santa Anna decree recognized an obligation of the government to pay six per centum on the capital. With the passing of Bishop Francisco Garcia Diego, the first bishop of Upper California, the pious fund became a vague memory. The California state legislature of 1851 appointed a committee of enquiry on the subject, but all the committee could discover was that such a fund once existed.

Archbishop Joseph Sadoc Alemany in 1853 submitted to John T. Doyle a bundle of papers discovered in the archives of the archdiocese of San Francisco, saying that they related to the pious fund. Doyle delved deep into Mexican and Spanish history, treaties and original documents in Mexico City. His discoveries eventuated in a printed pamphlet embodying extracts from historical works in five languages, and with these proofs he presented his case to the Mixed American and Mexican Claims Commission in 1870, then sitting in Washington. In Doyle's opinion, all he could pray for was the interest that had been made payable by the law of Mexico, as indicated. He was victorious with a judgment in the sum of $904,700.79, being one-half the interest for twenty-one years, which was held to be the shares of the bishops of Upper California. The payments were made in accordance with the judgment.

Mexico, however, disputed its obligation to pay any interest accruing after the period covered by the Mixed Claims Commission, that is, after 1869. On behalf of Archbishop Riordan and the bishops of California, Garrett W. McEnerney, a leader of the San Francisco bar, in 1902 took up the cause where it had been left by Doyle, and he succeeded in having the claims for interest from 1869 to 1902 presented to the Permanent Court of Arbitration at The Hague. This was the first international controversy submitted to that court. The liability of Mexico was established and the Mexican government was bound to pay to the United States for the use of the Catholic bishops of California, $1,420,682.67 in extinguishment of the annuities then due; and further, to pay annually $43,050.90 accruing interest. Mexico complied with The Hague award.

Doyle's grandfather came from Ireland in 1803, and settled in the City of New York, where he was joined by a son, John, in 1915. John resumed his literary career, and for thirty-five years was conspicuous among the book-sellers of the city. His place was a popular spot among book men. He married Frances Glinden and was the father of John T. Doyle, and as the boy grew up his world was the companionship of books.

After a course at Columbia College, Doyle entered Georgetown University, where he graduated with honors, being valedictorian in 1838. His next four years were devoted to study of the law, and from 1842 to 1851 he practised his profession in New York. Not content with the finished training at Georgetown, he continued to study under acquired habits until he was able to speak and write French and Spanish fluently and to read, at least, Italian and Portuguese. It is not recorded that his later studies included German, but on this score, in his brochure on the Pious Fund, he mentions research in civil law in that language, which enabled him to employ to advantage excerpts of value applicable to old authorities in the law obtaining on the continent of Europe. Beside trained habits of accurate observation, his command of modern languages served him well professionally and otherwise.

The eminence of John T. Doyle as a lawyer and public-spirited and most valuable citizen of his time is generously conceded by historians, and also by official records. The absence of his name from the index of Hittell's California may serve to classify that history as incomplete. In "News Notes of California Libraries," a publication of the California State Library in 1907, descriptive of public libraries of California, the page following the title page is given to John T. Doyle with his picture. The sub-title below the picture states: "As the success of the San Francisco Law Library was largely due to John T. Doyle's activity and intelligent interest, it is peculiarly fitting that Mr. Doyle should be given a prominent place in this issue, the special feature of which, is the law libraries of California." The text beneath has this to say of Doyle:

"He was one of the great leaders of his profession. His name is prominently connected with the most important litigation of the state. He was one of the founders of the San Francisco Law Library. From its inception he was connected with the institution in the capacity of trustee or president. He was always a member of the Book Committee, and under his wise ministration, the library grew along all lines of legal literature until it became recognized as one of the greatest institutions of its kind in the country."

In the failure of Adams and Company, bankers in San Francisco, in 1855, an embarrassing, if not amusing situation was presented to the legal fraternity. Lawyers for the bank could not wind up the bank's affairs. There was gold dust in the safe—not enough of it, according to the accounts, and the safe door was sealed. Followed an impasse, because nobody would act as receiver since a bond of one million dollars was necessary. The bankers' attorneys realized there was no possibility of winding up the bank's affairs through a receiver. John T. Doyle's suggestion to settle the estate in insolvency proceedings was accepted. Bancroft in volume 19, page 177, "History of the Pacific Coast" tells the story, adding: "It may be here remarked that this gentleman [John T. Doyle], elsewhere quoted as authority in my California, has been since the early days of this state, a very conspicuous and reputable jurist; recognized not only as among the ablest lawyers on the coast, but one who can be depended upon to maintain the honor and dignity of the bar, and withal a scholar of rare culture and refinement."

While on a vacation trip to Nicaragua in 1851 he became acquainted with Cornelius Vanderbilt, then absorbed in a plan for a ship canal across the isthmus, and on his return he accepted an invitation by Vanderbilt to become general agent for the canal company in Nicaragua. A year was spent in Nicaragua, while, among other things, he built a road from the lake to the Pacific. The company failing to capitalize the enterprise, he resigned and came to San Francisco in December 1852, with his father's family, except a brother, Emmet, who had come in 1849. In the following year he resumed the practice of the law in San Francisco, and for thirty-five years held a place among the leaders of that bar.

When the University of California was founded in 1868, John T. Doyle was honored with the appointment to membership on its first Board of Regents, which organized and laid the foundation for the future government of the university. With General George Stoneman and Isaac P. Smith he was appointed by Governor Irwin to the Board of Commissioners of Transportation, then organized to regulate railroad rates and service. This office led him to a close study of transportation problems, and especially of abuses in railroad methods then prevailing in California. His studies convinced him that the remedy for manifest wrongs was not to be found in arbitrary regulation of rates, but rather in the enactment of just rules by which freight charges should be determined. An exhaustive analysis of the subject with a system of definitive rules, upon which laws might be enacted for a modus vivendi between the railroads and the people, was submitted by him to the commission. His ideas having been adopted in substance by the commission, a report, an octavo volume of nearly 500 pages, recommending the proposed reforms was written by him at the request of his associates, and presented with a bill to the state legislature.

The bill was amended and a substitute adopted which legislated the commission out of office and replaced them by a single commissioner. At this his emphatic comment was: "The railroads scented danger afar, and rallied their lobby to the defense of their prerogative of plunder." In the main, as stated by an authority on the subject, Doyle's plan of regulation is the law of the state today. In the seventies, when he led the people's fight against the railroad corporations, only a very strong man would have attempted reform in railroad regulation in California. John T. Doyle did it as a duty, and he was strong.

Reverting to his family history: He was born in New York, November 26, 1819. He married in that city in 1863, a Miss Pons, the daughter of a silk manufacturer in Lyons, France. There were five sons and three daughters of the marriage. The youngest daughter was Mrs. Francis Pope. One of his sons was an officer in the army, another son served as an officer in the navy. The youngest, W. T. Sherman Doyle, engaged in the profession of his distinguished father. Two other sons were given his vineyard and winery at Mountain View, Santa Clara County.

He made his home at Menlo Park, a suburb of San Francisco, in 1866, and in later years he laid out the vineyard with the intention of giving it to his sons. After his retirement from the law, he conducted experiments in his vineyard with the purpose of developing a grape vine resistant to diseases. That he accomplished the desired result was conceded by viticulturists, and for his success in this scientific exploration he was recognized by a scientist of the University of California in a publication on viticulture.

His declining years were passed at Cupertino and Menlo. He died December 23, 1906, at the age of eighty-seven years.

Chapter XXVI

The Hibernia Bank Group

AMONG the pioneers of finance in San Francisco, the city destined from its beginning to be the center of finance on the Pacific Coast, were young Irishmen, whose foresight led them to unite in an organization that developed even in the early sixties, into one of the sound banking institutions of California—the Hibernia Savings and Loan Society. Pioneers, in various walks of life, while laying foundations for comfortable fortunes, they realized the need of a stable plan for safeguarding the savings of others at a time when San Francisco lacked confidence in banking. Their purpose was to give the community a savings society founded upon faith.

About 1855 San Francisco banks failed and the business of the city suffered severely. From day to day many a San Franciscan did not know whether he was rich or poor. Demoralization of banking at this period was attributed largely to the failure of the state government to exercise adequate supervision over operations of banks. Toward the close of the fifties currency had fallen sharply in value, three hundred and fifty or four hundred dollars, gold, buying one thousand dollars, face value, of currency. In 1859 mortgages were recorded in San Francisco ranging in interest from one and three-fourths per centum a month on larger sums to three per centum a month on sums up to four thousand dollars. In 1860 the Hibernia Bank began lending at two per centum a month, which seems to have been the maximum rate for the following three years (John P. Young, San Francisco, the Pacific Metropolis).

The second bona-fide savings institution in San Francisco was incorporated April 12, 1859, under the name of the Hibernia Savings and Loan Society. The conservatism of the organizers was conspicuous in their plan of operation. They cut their coat according to their cloth, opening in an upstairs room at Jackson and Montgomery Streets, receiving modest savings deposits and lending only to approved borrowers on ample security. The corporation was organized under the general laws of the State of California with a capital stock of six hundred thousand dollars, and in 1864 it was changed to a mutual basis. Ten years after its opening, the bank had fourteen thousand and sixty depositors.

John Sullivan, who is made the subject of a sketch in a previous chapter, was first president of the bank. Arriving in San Francisco in 1844, Sullivan built one of the first houses in the village of Yerba Buena, which later became San Francisco. He had amassed a fortune before 1859, when his name was a synonym for stability and honor. Reputed the wealthiest man on the board of directors, he was one of the heaviest investors in the bank's stock.

The board comprised Sullivan, president; John McHugh, vice-president; Edward J. Martin, secretary; J. Horan, D. J. O'Callaghan, C. D. O'Sullivan, Robert J. Tobin, William McCann, James Ross, N. K. Masten, M. Cody, John Mel, trustees. Richard Tobin was attorney for the corporation. These men were respected citizens of San Francisco in 1859; some of them attained to prominence throughout California in later years. Having distinguished himself as trustee of the bank, Edward J. Martin was chosen by his colleagues as secretary and treasurer, an office retained by him until his death.

Martin was in fact one of the distinguished pioneers of 1848. He arrived in California in September of that year. A varied life was his in his new home. He went forthwith to the placers immediately after the discovery of gold, for at twenty-nine the prospect of fortune appealed to his imagination, and what was but an ignis fatuus to so many pioneers proved a reality for him to the measure of satisfying bags of "dust." Martin had business experience, and on his return to

San Francisco he possessed enough capital to launch him on a commercial career. He operated in real estate, investing heavily in lands throughout California and Oregon while conducting the wholesale liquor house of E. J. Martin and Company, and becoming one of the most extensive owners of lands on the Pacific Coast. His lands in Oregon comprised four hundred and fifty thousand acres of farming, grazing and timber holdings and approximately two hundred thousand acres in California (Bancroft. History of California). His singular success enabled him to retire and enjoy a prolonged visit to the East and Europe. On his return in 1857, Martin associated himself with his countrymen, who were then considering the proposed savings institution. Martin, like Don Timoteo Murphy, the Santa Clara Murphys and James Miller of Marin, came from Wexford County, Ireland, where he was born March 3, 1819. He died May 12, 1880, a millionaire. The Morning Call said of him in an editorial notice the day following his death: "As a business man he enjoyed the confidence of the entire community."

Although not a member of the board of directors of the bank, still Dennis J. Oliver, merchant and capitalist of early San Francisco, was one of the bank's conspicuous supporters. He came to California round the Horn on the American Clipper ship, South Carolina, which entered the Golden Gate June 30, 1849, just six months out from New York. On the same ship were John A. McGlynn and William F. White, who were his partners in San Francisco. The partners opened business in a tent at Montgomery and Sacramento Streets, and soon afterward moved to a brick building on California Street (William Grey-White. Pioneer Times in California).

White, who wrote under the pen name of Grey, describes Oliver as "a fine, handsome, gentlemanly young fellow, then a partner of White [himself] and McGlynn, who by close attention to his mercantile pursuits, became wealthy, retired from active business, traveled the world over twice, in company with his accomplished wife and lovely California-reared children, now [1881] residing in San Francisco, esteemed and respected by all who know him."

Oliver was familiarly known as the Count as he had been knighted by the Pope in recognition of his noble services to the Church. He was noted as a man of cultured tastes, a lover of art and beauty, reflected in his mansion in articles of virtue gathered while he traveled abroad.

In 1851 he entered business alone. The disastrous fire of 1851 originated in his store. Barry and Patten (Men and Memories of San Francisco in the Spring of 1850) relate: "The fire of May 4, 1851, originated in the paint store of Mr. Oliver on Clay Street plaza, above Kearny Street, about 8 o'clock on Saturday evening, and its progress was so rapid that people occupying houses a block away were unable to remove their goods."

Ten years later, he was an importer of paints, oils and glass in spacious quarters on Washington Street. From business he turned to speculation in lands, both in the city and country, and won riches more and more with the passing years. He was a life member of the Society of California Pioneers, and at his funeral, May 14, 1886, at St. Mary's Cathedral the pioneers attended in a body.

Myles D. Sweeny, who was president of the Hibernia Bank for many years, is credited with having originated the idea of establishing the bank. His surviving daughter, Mrs. Regina Anastacia Sweeny Pescia of San Francisco, tells (1935) that shortly after his arrival he made the acquaintance of Richard Tobin, then a young lawyer associated with Judge P. Barry. Sweeny had been connected with a savings society in Philadelphia, and so, it seems, he had in mind on leaving for California, a definite plan for establishing a similar institution in San Francisco.

His arrival in California was in 1850. Late in 1851 he returned to Philadelphia, and on the evening of his departure, he was tendered a dinner by his young friend, Richard Tobin. The stay in the East was not to be longer than a few years, but it lengthened to six; and yet, he held in memory the parting words of the youthful lawyer: "Hurry back, and we will start the bank." In 1857 he returned to San Francisco and immediately engaged in a wholesale business, in which he prospered. Meanwhile, he interested himself in the project of founding a savings institution, for which, he said, he was convinced there was need in view of the unsettled conditions then prevailing in finance by the Golden Gate.

Throughout the conferences over preliminaries in the procedure most desirable, he was advised by Richard Tobin, who by that time was approaching his thirtieth year, and even then was consulted by men who appreciated his ripening maturity in conservative, clear thinking. Within a year after the bank had been incorporated, his associates elected Sweeny president—an office held by him until his death, August 13, 1888.

Born in Donegal, Ireland, Sweeny was brought to the United States at an early age by his parents. They settled in Philadelphia, where their son was educated and trained for commercial pursuits. When of an age to work, he lost no time in fitting himself for the future. He accumulated a comfortable fortune before news of the discovery of gold in California reached his home.

Sweeny took an interest in civics in his new home in San Francisco while conducting a successful business. Having acquired a reputation for prudence in commercial affairs, his advice was sought in the days of frenzied finance. It was said of him that his keen judgment, pleasing personality and conservatism were an asset to the new bank.

The man who guided the destinies of the Hibernia Savings and Loan Society through many years, after laying out its structure, was Richard Tobin. He was counsel for the corporation from its inception until his death in 1887. Among leaders of the San Francisco bar of the old school were men who regarded him favorably for his understanding of the intricacies of financing and corporation laws, while such laws were still in a formative state.

To him was accorded the rare distinction by the San Francisco Bar Association of adopting resolutions honoring his memory and tendering them to his family upon his death as an expression of condolence of San Francisco's lawyers. This kindly, sympathetic tribute is given here in full:

SAN FRANCISCO BAR ASSOCIATION

"TOBIN—Died in this city, June 17, RICHARD TOBIN, Esq., aged 55 years."

"This brief announcement tells of the close of an active, useful and honorable career.

"RICHARD TOBIN, Esq., was born in the County of Tipperary, Ireland, in the year 1832. While quite a youth he came with his parents from Chile to California. Soon after his arrival in San Francisco he began the study of law in the office of the late Judge P. Barry, a well-known pioneer lawyer of this city. He was admitted to the bar by the Supreme Court in the year 1853, and immediately entered upon the practice of his profession in San Francisco. In 1853 he married Miss M. A. Regan, an estimable young lady with whom he had been acquainted from childhood.

"In the year 1859 Mr. Tobin and a few other gentlemen organized the Hibernia Savings & Loan Society. He was at once elected to the position of attorney for the society, a position which he had held for twenty-eight years at the period of his lamented death. The extensive business of that institution prevented him from engaging in the general practice of his profession, but in the important and difficult branch of legal business to which he devoted himself he had no superior at the bar.

"His professional conduct was courteous and honorable. He possessed the esteem and respect of his professional brethren. His manner was reserved but his nature was genial and kindly. He rarely and reluctantly spoke ill of any man; he was charitable to the foibles and to the frailties of human nature, though rigidly severe in moral discipline of himself. But it was probably in the domestic circle that Mr. Tobin's purity of character was best shown, as here his estimable qualities were most perfectly revealed. So here his highest earthly happiness was always found. We are aware that we are treading upon sacred ground, but we may be permitted to say without impropriety that as a father he was tender, wise and just; as a husband devoted, affectionate and exemplary.

"Resolved that this brief and imperfect sketch of our deceased fellow member, Mr. Tobin, be transcribed upon the minutes of this meeting; that a copy be presented to each of the departments of the Superior Court in this City and County, to the departments of the Supreme Court of the State and to the United States District Court and to the United States Circuit Court in this city, and that a committee be appointed to move that the various departments of these courts to spread this sketch and these resolutions on their minutes.

"Resolved, that we, the members of the San Francisco Bar Association, beg to tender to the bereaved family of Mr. Tobin our heartfelt condolence in this their great affliction.

"Resolved that an engrossed copy of this sketch and of these resolutions be transmitted to the family of the deceased."

"H. C. Campbell, J. F. Sullivan, W. A. Plunkett,
"Committee."

At a meeting of the San Francisco Bar Association, held Saturday, July 9, 1887, the resolutions were adopted, and the following members were appointed to present them to the various courts: Supreme Court, S. M. Holliday; Circuit Court, H. C. Campbell; District Court, Charles Page; Superior Court, Department 1, W. A. Plunkett; 2, J. M. Burnett; 3, Alfred Wheeler; 4, D. Y. Campbell; 5, Thomas P. Stoney; 6, R. C. Harrison; 7, Robert Harrison; 8, J. H. Shankland 9, S. S. Wright; 10, W. H. Fifield; 11, E. W. Blaney; 12, W. C. Graves.

In a brief biographical sketch of Richard Tobin in the San Francisco Examiner, June 18, 1887, the day after his death, there is the further information that while he lived in Chile for six years he acquired a command of Spanish and French, and later in San Francisco he was recognized as an authority on the language and literature of France and Spain. In 1880, when such an authority was needed by the United States Government, he was retained by the government as an interpreter of Spanish and an expert on Mexican laws in the suit of the New Almaden quicksilver mining corporation involving titles to mining lands at New Almaden. In the same article there is a statement to the effect that the deeply studious disposition that had been his in his maturer years undermined his health. He was survived by his wife and seven children: Joseph S., Robert, Richard M., Edward, Miss Agnes Tobin, Mrs. Charles Raoul Duval and Mrs. Celia Tobin Clarke.

Robert J. Tobin, a brother of Richard Tobin, was another of the founders of the bank, though he had not taken an active part in its affairs until the death of E. J. Martin left a vacancy in the office of secretary. He succeeded Martin and held the office until he passed away, full of years and respected in the community. He came from Ireland by way of Tahiti, arriving in San Francisco in 1848. As an officer of the bank he devoted himself exclusively to the duties of secretary. However, he did interest himself in civic matters and especially in those affecting municipal government in San Francisco, which induced him to accept the appointment of police commissioner and hold that office for many years.

This writer in his youth knew Robert J. Tobin quite well, and knew also of the generosity and kindliness that were his. And this is true: the work of the secretary of the bank was deferred when old Mr. Tobin listened to a request of help for some one, friend or stranger. He was ever ready to aid others; his reputation was he never turned a deaf ear to an appeal for aid. Indeed, it was currently remarked that the real reason why he remained so long a commissioner of police was the satisfaction it gave him in helping the poor and providing employment for idle men. His unassuming manner was but part of the indicia of a fine old gentleman. Possibly he did not aspire to the stature of his brother; it was not his inclination.

The names of C. D. O'Sullivan and D. J. O'Callaghan were long identified with the same group of financiers. They were pioneers, who by industry, thrift and ability won wealth from commercial enterprises in San Francisco. And they won, too, the estimation of their neighbors.

Agnes Tobin, who died in February, 1939, in San Francisco, shed lustre on her family. She reached a place among the major poets in the English language, living, as it were, from the world apart in the higher, purer air, while pouring forth the beauty of her genius in exquisite verse. Ere long she may be the subject of a fascinating biography in book form, already foreshadowed by appreciative articles; and then the reader may realize how beautiful is this unusual figure in late Victorian literature.

"It was Agnes Tobin (if I may appropriate the words of a critic) who made 'Petrarch's great name credible' to English readers. Agnes Tobin transplanted Petrarch's lyric blossoms from Vaucluse to London, and thence their fragrance has been borne to every English-speaking land. Strange as it may seem, there was no adequate English version of the immortal sonnets and canzoni until Agnes Tobin essayed the congenial task. For more than five hundred years a wondrous treasure was locked from English readers. It remained for Agnes Tobin to provide the key. The artistic success of her achievement is a glory which her native California is proud to share." (Edward F. O'Day, Varied Types, San Francisco, 1915.)

CHAPTER XXVII

The Orchilla Millionaire

CALIFORNIA was not big enough to satisfy the ambitions of this unusual pioneer, Joseph P. Hale, of San Francisco, once familiarly known as the "orchilla millionaire." For him, even the golden placers were but a means to an end. The story of his achievements portrays a restless man of unshaken resolve and an abiding confidence in the ultimate success of his every adventure. Still in his teens, he laid down his shovel and pan to transact business with mining claims for his stock in trade as so much real estate; and after reaching his maturity, he rode over California to Sonora, Mexico, and down the peninsula of Lower California in pursuit of plans to make himself rich. Nor did the deserts deter him. He passed others by; he turned away from beaten paths to find fortune in far-off places, all the while looking back to San Francisco as his home.

At the age of thirteen years in 1849, Hale reached New York from his native Ireland and began work as a grocer's clerk. In that humble position, he learned business methods, laid up knowledge for the future and saved enough to pay his way to San Francisco three years later. He chose the Panama route. The mines, which had called him from New York, proved to be his first concern at San Francisco. He proceeded as soon as possible to the placers. Hard work with pick, pan and shovel was beyond his physical powers, for Hale at this time was not more than sixteen years, and he was compelled to discontinue it. Yet he did not turn away forthwith from the mining districts. He saw possibilities there in speculation in mines and developed claims, in fluming and water courses. Buying and selling he won and lost three fortunes before reaching twenty-one years, eventually, however, accumulating sufficient capital to enable him to finance further projects.

With a capital of thirty thousand dollars, Hale and a partner set out for Mexico with the intention of buying sheep and cattle and driving herds to California. Military troubles at the border interfered with the plan, and Hale was left alone, his partner withdrawing from the venture. Hale continued on to Lower California to engage there in stock raising—a hazardous undertaking, since the peninsula was beset by bandits. The region between California and the fertile lands near the south of the peninsula was rugged, broken desert most of the way, yet Hale would not be turned away from his course. He succeeded in raising large herds, and when his cattle were ready for the market, he drove them north to California. The drive occupied more than a year with Hale and his men, like nomads, moving slowly northward. Attempts were made on the life of the leader with the purpose of driving off his cattle, but Hale had his own men and kept them under intelligent discipline for such eventualities, guarding against attack. Twice he made the long journey with herds. Meantime, he conducted a supply store at Magdalena Bay while purchasing silver produced by the natives and selling it at large profits in California.

In 1864 he appeared at San Jose as the first manufacturer of white sugar on the Pacific Coast—an enterprise which he abandoned after three years because of the scarcity of labor and other adverse local conditions.

While on the peninsula of Lower California, in 1871, he met the captain of a Nantucket whaler, who had put in at Magdalena Bay for wood. The captain recognized a lichen growing on the rocks and trees as orchilla, which he explained was a valuable commodity of Commerce, called by the English, orchella. On investigation, Hale found the lichen was growing in profusion on the coast rocks and trees and brushwood within the region of fogs and dews. It covered the trunks of trees to a height of eight feet, and then Hale discovered the peninsula of Lower California as a source of supply exceeded all other habitats of the lichen. He made further research and learned to his satisfaction that orchilla had possibilities of untold wealth.

Orchilla is a lichen of rare selective tastes. The wide world has no attraction for it, save for a few spots far apart, where it clings to rocks and trees, always beside the sea. It has been found on the Malabar coast of India, the Canary and Cape de Verde Islands, and occasionally along the coast of South America, and in abundance on the southern extremity of Lower California. The botanists call it archil and orchil. To the Spaniards it was long known as orchilla. In the hands of the chemists it is made to give beautiful shades of blue, mauve, violet and purple, and probably other colors. Treated with sodium, it is credited with producing the blue of litmus, while under the influence of ammonia it responds in other tints, varying to tinges of crimson. Among other qualities possessed by it, as a mordant for fixing dyes in uniformity of respective colors, where these dyes failed, it had a peculiar value.

Here was another problem for the enterprising Hale. He organized a new business in San Francisco, selecting and buying machinery and other equipment, and planning on the ground for employment of workers for harvesting his crops. He had hardly begun operations when the discovery attracted attention of dealers, in orchilla, who at once began collecting lichen for export. Hale being on the ground, entered the new business with characteristic efficiency. He purchased boats and necessary machinery for harvesting the crop and preparing it for export. For a time he encountered sharp competition. The fight into which he plunged called forth every bit of daring and pugnacity of which he was capable. As told in Bancroft's "Chronicles," "Being the only person from an English-speaking country, all the South Americans, Mexicans and Germans united against him to drive him out. They took his property, surreptitiously or otherwise, whenever an opportunity offered; they annoyed him in every way, demoralizing his laborers and forcing him into interminable and vexatious litigation. He was placed at a great disadvantage, having to contend against so many who were well versed in the laws and language of the country and had the sympathy of the people.

"Seeing no immediate relief for him at home, he shifted the scene of action to the commercial market. Having had employed no fewer than six hundred laborers in the orchilla fields nearly two years, in order to protect his property against his enemies, who employed even a larger number of laborers, Hale continued his operations until he considered there was a sufficient supply in his warehouse and on the way to Europe by sailing vessels to supply the demand for several years. Then it was that he showed his financial ability. At once, and before his competitors had time to reflect, he threw on the market sufficient orchilla to supply the consumption for more than a year and at such low prices that he lost heavily, but not one-third of what his antagonists lost. Owing to his cornering, their stock was thrown on the market at what could be realized for it by their creditors, which entailed upon them a loss of several hundred thousand dollars, breaking them up entirely. They soon fled the country and left Mr. Hale master of the field."

It was then that he purchased from the Mexican Government large areas bordering his own lands, until his lordly domain extended from latitude 23½ to 29 degrees north along the coast line of Lower California. His headquarters on Magdalena Bay comprised a town of hundreds of men, women and children with extensive warehouses, presses for baling the orchilla for transport; and there was a wharf connected with the barns by a light railway. The marketable product was put upon lighters and placed on board British ships in the offing at a standard price of forty pounds (approximately two hundred dollars, then current rate of exchange) a ton.

Not content with the orchilla alone, Hale enlarged his herds of cattle and cultivated many acres, thus supplying the needs of his numerous employees, as well as domestic and foreign markets. Two years before his death, he began building schools and churches for colonists, who were then settling at the bay.

While other orchilla operators had been gathering the weed without thought of the certain penalty for plucking the plant roots and stems, Hale wisely selected only the mature plants. Others had denuded vast areas, where the plants became extinct. After serious study, Hale ascertained it was not susceptible of cultivation, so he confined his annual picking to the ripened growth, leaving the plant to attain its full development in four years—a method adopted by him by setting apart one-fourth of his land for that term, as it were, fallow. And so, up to the time of his death, the supply betrayed no sign of decreasing.

Hale lived in San Francisco with his family making the city his business headquarters, while taking regular trips to Lower California to direct operations. Bancroft says of him he was among the first men who chartered vessels from San Francisco to Lower California, and he was also the first Californian engaged in important commerce in Mexico, who drew all his supplies, shipping and machinery from San Francisco.

For many years he employed between four hundred and six hundred men and women, all of whom lived in his own town of Magdalena Bay.

"Joseph P. Hale contributed more than one million dollars to the commerce of San Francisco by drawing from that city all the supplies for his orchilla fields and other enterprises. Coming to California in 1852, after following various occupations, he engaged in the orchilla business and became the owner of six thousand, five hundred square miles fronting on the Pacific, much of it being used for stock-raising. He made his home in San Francisco, where, as elsewhere, he is a large owner of real estate" (Bancroft. Chronicles).

Taking Bancroft's statement of the remarkable extent of Hale's land, this enterprising Irishman owned approximately one-fifth the area of his native land. The San Francisco Chronicle, April 14, 1893, states that Hale became one of the largest land-owners in the world, his lichen territory having an average depth of twenty-three miles from the coast.

His health failing, Hale retired in 1890 from the personal direction of his varied interests, hoping to recuperate, but the end came in three years. His wealth was variously estimated at one million to three million dollars.

While no mention was made in sketches of his life intimating that he was not alone in his ventures and enterprises in Mexico, still his business in that country was conducted under the title of Flores-Hale Company. Hale did not need a partner, but he found it necessary to have a Mexican citizen associated with him in order to hold his business safe under Mexican law.

As to Hale's life and work in California and Mexico, the principal sources for this sketch are found in Bancroft's "Chronicles of the Builders" and in the San Francisco papers of April 14, 1893. The present writer had intimate information concerning Hale from Hale's brother, who had spent some years at Magdalena Bay. The archives of the archdiocese of San Francisco contain the only written record that Hale was a native of Ireland. His occupation is there given as merchant, the place of death, the Occidental Hotel, San Francisco, and the date of death, April 13, 1893, age fifty-seven years; internment in the Hale vault, Calvary Cemetery.

In a contest over a probate court order in San Francisco, Hale's brother and two sisters to whom he had bequeathed life annuities, claimed that Hale owned fifty-eight thousand shares of the Flores-Hale Company, which had been shown to be worth from one hundred to two hundred dollars each. The Hale properties in California were, however, heavily incumbered. It was understood by intimates of his family that much of his wealth was represented in securities in England, and that he was in fact a millionaire.

Hale was distinguished by his unassuming and unpretentious qualities, though beneath them was an inflexible will. In manner kindly, he gave the impression of self-confidence, while at the same time he was direct and positive in all business dealings. His associates and personal friends in San Francisco were men of affairs. His interests calling him away frequently, he maintained an extensive suite of apartments at the old Occidental Hotel.

His wife and daughter spent much of their leisure in Europe. While in London in 1890, Miss Hale became the wife of Robert Boyle, then the fifth son of the Earl of Cork, and she was Lady Cork with her castle at Bandon in Cork County, and the family residence in London. They came to San Francisco in 1893 when notified of

Hale's illness, and were with him when he passed away beside his wife and brother, James Hale.

A recent edition of Burke's Peerage has this record of Robert Boyle: "Robert John Lascelles Boyle, eleventh Earl of Cork; orders of Crown of Belgium and St. Maurice and St. Lazarus of Italy. Born November 8, 1864; married April 30, 1890; Josephine Catherine, only child of Joseph P. Hale of San Francisco, and died without issue 13 October 1934, when he was survived by his kinsmen; residence, London."

The Chronicle and Examiner of San Francisco published laudatory articles on Hale in announcing the news of his death, the former stating "He was another of the men who have made California famous by the amassing of great fortunes through their own energy and perseverance." The Examiner said that few men on the coast were better known than Hale, who, beginning as a young pioneer in the mines and engaging in various enterprises, eventually made a fortune out of the Mexican dye stuff. The article adds that Hale secured possessions of islands off the coast of Mexico and his interests there proved rich in guano. He put on a line of vessels to transport the guano to England; also, on some of the islands were turtles described as of immense size, and he made great profits in exporting them to Europe.

Chapter XXVIII

The Bonanza Kings

THE STORY of the Big Bonanza, trite though it may be, is ever new, supplementing the Arabian Nights, as it were, with a chapter founded on fact yet fascinating as fable. From the desolate Nevada mountains a little band of resolute men wrested hundreds of millions of dollars in gold and silver, and before they had done with Lady Luck, the tremendous drama, in which they were the cast, was known as the "Big Bonanza." The outstanding men in the scene were the "bonanza kings," John W. Mackay, William S. O'Brien, James G. Fair, all of whom were born in Ireland, and James C. Flood, a native of New York of Irish descent. Owing to their commanding prominence, they rose, of course, above the class of forgotten pioneers.

The Comstock lode was discovered by two Irishmen prospecting on the surface. Another Irishman, Judge James Walsh of Grass Valley, Nevada County, was the first man to think of having the ore assayed, and he, too, was the first to publish to the miners working on the surface deposits that beneath was amazing wealth.

What is written here about the Bonanza mines has been taken only from original sources. There are later books and articles on the subject, the latest being the interesting story, "The Big Bonanza," by C. B. Glasscock, which adheres to the same factual sources. From the point of historical value, "The Story of the Big Bonanza," by William Wright, who wrote under the pen name of Dan De Quille, is entitled to first rank, and as such it is accepted for this chapter. His book published in San Francisco in 1877 is dedicated to "John Mackey, Esq., Prince of Miners and 'Boss' of the Big Bonanza." The introduction, written by Mark Twain, his contemporary and friend, says of the author: "The writer of it has spent sixteen years in the heart of the silver-mining region, as one of the editors of the principal daily newspaper in Nevada; he is thoroughly acquainted with his subject and wields a practised pen. He is a gentleman of character and reliability."

Another writer of the Comstock days was Sam Davis, owner and editor of the Carson Appeal, who edited "The History of Nevada," and wrote about the Comstock and its multi-millionaires.

Gold was first discovered in Nevada in the spring of 1850 by Mormons. They prospected for gold in Gold Canyon on the Carson River and found the precious metal in placers. These prospects undoubtedly led to the discovery of the Comstock lode—the first step, at it were, to finding the fabulous wealth of silver in the Nevada hills. A new camp sprung up and was named Johntown. In this camp lived Henry Comstock, who gave his name to the great silver lode; also Peter O'Riley and Patrick McLaughlin, miners, the discoverers of the Comstock vein (De Quille. The Big Bonanza).

In 1857 gold was discovered in Six-Mile Canyon on the north side of Mount Davidson, on the eastern face of which, across the plateau, ran the Comstock silver lode. Among the miners, who had left Johntown for the new diggings were O'Riley and McLaughlin and James Finney, or Fennimore, known as "Old Virginia," who gave his name to Virginia City.

O'Riley and McLaughlin worked at the head of the ravine until 1859, when they extended their operations up the slope of the mountain. Results were discouraging. It was necessary to dig a hole as a reservoir for water for their rockers. While excavating, they struck a stratum of rich decomposed ore of the Ophir mine—the world-famous Constock silver lead. The strange ore had the appearance to them of solid black earth underneath an overload of yellow clay and gravel unlike anything these miners had ever seen. Puzzled as they were, they tried the stuff in their rockers. After a few buckets had been washed, the bottoms of the rockers were literally lined with gold. They began taking out gold by the pound until they feared that, after all, it was merely some unclassified variety of base metal.

On the evening of the day of discovery, H. T. P. Comstock appeared on the scene, and forthwith declared he owned the land and its mining rights, despite the fact O'Riley and McLaughlin had already posted their claim notice, vesting title in them. However. they were given the option of dividing with him and two other miners, or facing a fight. The discoverers chose the peaceful way, quite well satisfied with a one-sixth interest in the prospective yield of the mine. De Quille's comment on the incident has gone into history:

"Once Comstock got into the Ophir claim, he elected himself superintendent and was the man who did all the heavy talking. He made himself so conspicuous on every occasion that he soon came to be considered not only the discoverer, but also father of the lode. As it was all Comstock for a considerable distance around the Ophir mine, people began to speak of the vein as Comstock's lode, a name which it bears today; while the names of O'Riley and McLaughlin, the real discoverers, are seldom heard, even in the city [Virginia] that stands on the spot where they first opened to the light of the sun the glittering treasures of the vein."

The first claim notice recorded in the "Mining Recorder" of the district, a book of records now in the office of the County Recorder of Virginia City, reads: "We, the undersigned, claim this spring and stream for mining purposes. Peter O'Riley, Patrick McLaughlin." The original of the record was the notice posted by them at their discovery claim (De Quille).

The History of Nevada has the following on the discovery of the Comstock lode: "1859. Comstock discovered. Peter O'Reilly and Patrick McLaughlin discovered gold on the Ophir property. Henry Comstock and others located claims a few days after the discovery made by O'Reilly and McLaughlin."

The name O'Reilly is spelled O'Riley by De Quille and also by himself in his notice of claim.

Comstock's proposition to form a partnership was accepted, with Manny Penrod, J. A. Osborne, O'Riley, McLaughlin and Comstock as partners. Fiction pales in the light of the part played by them in the tragedy of the Bonanza, for there was a tragic side to the drama. All these men died in poverty, the wealth of the Ophir eluding their grasp. McLaughlin, in 1859, sold his one-sixth interest in the Ophir claim for $3,500. His old partner, O'Riley, held out longer than any of the original locators and received $40,000 and about $5,000 in back dividends. He built a hotel in Virginia City, but the venture failed, and, broken in health, he died without a dollar to his name. McLaughlin returned to California, his money gone, and continued to work as a miner. He died in an insane asylum. Comstock sold his interest to Judge Walsh for $11,000. Reduced to starvation he committed suicide. Old Virginia, who claimed an interest with the rest, while under the influence of liquor, fell from his horse and was killed. Penrod and Osborne squandered their little "fortunes" and died in abject poverty.

And yet—"Out of the first bonanza, into the top of which O'Riley and McLaughlin struck their picks, was taken $20,000,000 before the deposit was exhausted" (De Quille).

A ranchman, living in the Truckee Meadows, visited the diggings in July, 1859, and took a piece of the black ore with him to Grass Valley, where he gave it as a curiosity to Judge James Walsh, then residing at that town. Impressed by the unusual weight of the specimen in comparison with its size, Judge Walsh had it assayed. The assayer reported to him that the specimen was that of ore yielding several thousands of dollars a ton in gold and silver. The Judge with a friend, Joe Woodworth, loaded a pack mule and rode away at daybreak on two sturdy horses for the Nevada deposits. Within two days Nevada County was almost entirely deserted in the new gold rush. The first man in was Judge Walsh, and he was the first to carry the astonishing news over the Sierras to the doubting miners.

Dwarfed by contrast with the great men of the Comstock, and yet one of the conspicuous figures beside the "kings," was Captain Samuel T. Curtis, mining superintendent and executive of force and capacity. In the History of Nevada, Curtain is described as one of the Comstock millionaires. Curtis, according to De Quille, was a miner of great experience both in the silver mines of Nevada and the gold mines of California. Born in Ireland, he came to the United States when quite young and grew to manhood in West Virginia.

He crossed the plains and mountains in 1849 with a large train comprising numerous wagons, loaded with milling machinery and other stores. The train dispersed at Lassen in August, 1849, having abandoned its impedimenta, the party being glad to be alive and in California.

Curtis went to Feather River and later to Nevada County as a placer miner. Just ten years after his arrival in California, he was elected to the California legislature of 1859. His trip to the Capital was his first out of the mountains after his journey's end at Lassen.

There were Indian troubles in the Washoe Territory in 1861 and Curtis raised a company of volunteers at Sacramento and marched them to Nevada, well equipped with a convoy train of arms and ammunition then urgently needed in Nevada and Utah. While in Nevada, he was obliged to provide for support of his company at his own expense. Still, the expedition recompensed him by placing him on the Comstock lode. He was superintendent of the St. Louis, Empire Mill and Mining Company, Union Consolidated, Sierra Nevada, Savage, the Ophir and other famous mines. De Quille says of him:

"As a mining superintendent, he has always been very fortunate, and from his many years of experience in various mines along the Comstock, he knows almost every foot of the vein. So fortunate has he been in hitting upon bonanzas, that when he has taken charge of a mine, the men say: 'If there is anything in the claim, the Captain will find it.'"

In the disastrous fire of 1875, which caused wild excitement in San Francisco and destroyed surface works of the leading mines, as well as the town of Virginia City, three men stood above the rest—James G. Fair, John W. Mackay and S. T. Curtis. Panic in San Francisco was averted only by confidence reposed in them. In thirty days after the fire, new buildings stood in the place of the burned ones, and on Thanksgiving Day, the Ophir hoisting engine was started amind rejoicings of the people gathered at the mine to celebrate the event. The hero of the day was S. T. Curtis (De Quille).

John W. Mackay, widely known as the "Boss of the Big Bonanza," was the most spectacular figure on the Comstock lode. An incredible, versatile man, who swung a pick and wielded a shovel, directed mining operations on a colossal scale to the tune of millions of dollars a month in profits and made and broke banks, he emerged from the welter of Virginia City and "Frisco" an American multi-millionaire, encircling the earth with telegraph systems and ocean cables. Beginning life as an apprentice boy in New York to the shipbuilding crafts, Mackay persisted on his way to the top, walking to the California placers, digging and panning for gold, and thence to Nevada to work again with pick and shovel, deep down in the mountain mines. And from such humble toil, in a few years, he rose a king—a "bonanza king."

In connection with the mining activities of the "kings," and as a necessary part in the game of the millionaires, was a financial battle in San Francisco with Ralston, Sharon and some other giants in that phase of the struggle for greater wealth. Mackay, Flood, Fair and O'Brien contended for mastery. The Bank of California was the pawn with the bonanza stocks the prize. The bonanza kings won and then opened a bank of their own—The Nevada Bank—giving them control not only of their own stocks, but virtually the entire financing of the mines. When those mines were nearing exhaustion panic ensued as contradictory reports came from Virginia City. Speculators in San Francisco went wild in a frenzy, summed up by Hittell (History of California): "Reason appeared to have lost its throne."

Public opinion turned against the bonanza kings, and ugly charges were made against them relating to manipulation of the market, but proof seemed to be lacking. At last the war was over, the Big Bonanza was but a memory, the speculators, who madly gambled in the bonanza stocks, were ruined by their folly, while millions of the Comstock wealth were lost in the wheat pits and other speculation. The kings invested in many great enterprises, with Mackay leading his old associates in the boldness of his world-wide ventures.

Leaving his home in Dublin with his parents, Mackay, while still a child, grew up in New York with a consciousness that the only home he knew was the American metropolis. When old enough to work he was apprenticed to the shipbuilding trade. At twenty-one, in 1852, he went to New Orleans and sailed thence via Panama for San Francisco. His stay in San Francisco was not of long duration. He sailed up the Sacramento River to Marysville and thence began to walk to Nevada City in a mining region. While on the road a stage-driver, known as Curly Bill, gave him a free ride part of the way—a kindness Mackay never forgot. Mackay and his son, Clarence H. Mackay, remembered Curly Bill by supporting him till his death.

From 1852 to 1859, Mackay lived at Downieville, Forest City, Sierra City and on the American River while making a specialty of placer and drift mining. With an intimate, Jack O'Brien, he went over the Sierras in 1859 to Virginia City, where he began work as a miner in a tunnel at four dollars a day. Soon he became expert in timbering a mine to support the "roof," and earned six dollars a day. Saving his wages, in two years, with a partner he bought the Esmeralda claim. The venture was a failure, and Mackay joined with J. M. Walker, a prominent figure on the Comstock, in building the Petaluma mill at Gold Hill. Not only was the mill profitable, but his partner introduced him to James C. Flood and William S. O'Brien of San Francisco.

The four men operated as partners for several years until James G. Fair became a member of the group, each having a one-fifth interest in the business. Walker sold his interest to Mackay, saying he was rich enough, and returned to his native state.

Mackay, Fair, Flood and O'Brien gained control of the Gould and Curry, Best and Belcher and the Consolidated Virginia and California mines. Mackay and Fair studied the characteristic features of the lode to ascertain its probable value and extent, relying on experience alone. For six months they explored for possible low-grade ores, only to find none, then they determined to try other levels and drifts in search of a vein far below the surface, and there the bonanza was struck. From one ore body one hundred and nineteen millions of dollars were taken in gold and silver.

Mackay married Marie Louise Bryant at Virginia City in 1867, and made his home there until 1874, when the family moved to San

Francisco. While living in San Francisco he gave most of his time to the mines. In 1876 the family went to live abroad—in London and Paris. There were two sons of the marriage—William, who was killed when thrown from a horse in 1895, and Clarence H. Mackay, whose name became known all over the world.

From mining, Mackay in 1884 turned his attention to laying submarine cables and building telegraph lines in competition with the Western Union Telegraph Company. In 1884 he laid two cables between America and Europe through the Commercial Cable Company, organized by him the previous year. The opposition made war on him by reducing rates to a ruinous level, but after eighteen months, he won and dictated his terms. He organized the Postal Telegraph Company in 1886 and began to build lines throughout the United States; and this enterprise, like every project of his, was a success. At the time of his death in 1902, he was laying the trans-Pacific cable from San Francisco to Honolulu, China, Manila and Japan—a work finished by his son; and then the Mackay cable and telegraph systems extended fully two-thirds of the way around the world—from Paris to New York, across the United States to San Francisco and beyond to China and Japan.

While spending the summer with his wife in London, Mackay died suddenly, July 20, 1902.

"By his bearing, no man was ever less by a sudden coming of a great fortune than John W. Mackay," writes Davis. "His heart was always open to charity and the furthering of any good cause. During the six months after the great fire in Virginia City, by the express desire of Mr. Mackay, Bishop Manogue drew upon him for the poor of the city checks to the amount of one hundred and fifty thousand dollars, and every one was honored. For years he met the expense of the Sisters' Orphan Asylum at Virginia City at about five thousand dollars a month. He gave money silently and helped deserving people in every direction, sending the assistance in round-about ways so that the source could not be traced. . . . Though born in Ireland, there was never a more intense American. All he had was at the service of his adopted country. . . . After all, the finest trait in Mr.

Mackay's character was his sterling honesty. A dishonorable, or dishonest act he was incapable of."

De Quille presents another side of the bonanza "boss," telling that much of Mackay's time, when at Virginia City, was spent in the lower levels, and almost every morning at six o'clock he descended in one of his mines and often remained below for several hours, passing through all the levels where work was progressing.

Familiarly known as the "Jolly Millionaire," William S. O'Brien was noted for his never-failing good humor. His personality won him friends and distinction. Coming from Ireland while quite young, he brought with him to New York generous gifts of native wit and he was rewarded with new friendships and success. He took the oath of citizenship. New York was satisfying to the ambitious immigrant until he heard of gold in the ground in California. He sailed around the Horn on the ship Tarolinta, arriving in San Francisco harbor July 6, 1849.

According to a biographical sketch of O'Brien in the San Francisco Examiner, May 3, 1878, his first venture in San Francisco was a business with William C. Hoff during a term of two years, and then a partnership with William J. Romer in ship chandlery until his appearance in the "Auction Lunch" with James C. Flood. Another account has him engaged in the produce business in 1850, and subsequently as a hotel-keeper. For a time he tried placer mining in the Feather River camp known as Poor Man's Gulch. He returned and in 1856 began his long partnership with Flood, at first in the "Auction Lunch"—a saloon with an elaborate lunch for its patrons, among whom were the leading mining men and stock speculators of the city.

Over the glasses, or the chef's ragout, confidential chats made impressions on the genial hosts, who were quick to learn how to play the stock game involving mining securities. O'Brien and Flood eagerly accepted "tips" and felt their way until in their own good time they knew when to plunge with safety. About 1867 they invested heavily with success, and in the following year they sold their business to devote themselves exclusively to mining enterprises and investments in the Bonanza magic circle with Mackay and Fair.

During the excitement in bonanza stocks in January, 1875, the members of the firm accumulated vast fortunes and came to the front as the most successful of speculators. They opened the Nevada Bank in San Francisco in October of that year. The bank's paid-up capital was five million dollars. Flood, O'Brien, Mackay, Fair and Louis Lane were the directors and sole stockholders. So successful was the new institution, its capital was quickly raised to ten million dollars. O'Brien took an active part in the management of the bank.

About eighteen months before O'Brien's death, the property of the firm was divided among the members, with the exception of the mining stock business, which remained in common, Flood managing O'Brien's share. During the years of mining, banking and stock operations, the wealth of the four partners increased until their individual fortunes were variously estimated at fifteen to twenty-five millions each. No one ever knew, even approximately, how many millions they owned. Later estimates far exceeded these figures.

The day of O'Brien's arrival in San Francisco was never forgotten by him. He liked to revive old memories and to live them over again each year; and so he observed the anniversary as host to many of his old friends among whom were companions of 1849.

Failing in health in 1878, his physician advised him to live quietly at San Rafael, a suburb of San Francisco, where he passed away in May after a lingering illness in his fifty-second year. Out of respect for his memory the San Francisco Stock Exchange closed for one day, May 3, 1878.

The funeral of this bonanza king is described by a contemporary as a popular demonstration, in which thousands of San Franciscans who had known him for years, participated. Services at St. Mary's Cathedral, with Archbishop Alemany celebrant of a pontifical mass of requiem, were attended by the foremost men of the city. The Society of California Pioneers, of which he had been a life member; the Exempt Fire Company, San Francisco Board of Brokers and other civic organizations were represented by large delegations.

O'Brien never married. He bequested his estate to two sisters, four nieces and three nephews.

Evidently a warm personal friendship existed between James C. Flood and O'Brien. The earliest printed account of them is in Barry and Patten's "Men and Memories of San Francisco in 1850," which has them boarding at "Mr. Parker's house on the corner of Pacific and Mason Streets in 1850. Whether they were Flood and O'Brien then, as a business firm, we cannot say; but they were friends, and have been no less so in all the years of business partnership—that crucible-like test of character and friendship. Mr. O'Brien we remember as dealing in produce, a very profitable business in early fifty. Afterward, we think, he kept the United States Hotel. Some years after this time we knew Mr. Flood as Flood and O'Brien, on Washington Street, near Sansome, and have always found him very like his partner, an unassuming, amiable man, always prompt, shrewd and correct in business."

"He was always plain, affable, courteous and one of the most unostentatious of men. Never did he in any offensive manner display his enormous wealth, and many, who subsist upon no more than fair salaries, lived more sumptuously in a personal way. He was a bachelor. But he was fond of the comforts of home, and purchased the elegant and costly mansion which Senator Sharon had built on Sutter Street, for the use of his sisters, with whom he lived. They were supplied with everything which money could buy with unstinted hand, yet they avoided, as he did, whatever smacked of ostentation.

"In person, Mr. O'Brien was of fine presence, and the expression of his handsome face was invariably genial and kindly. Of late years the hand of time whitened his hair and subdued his once active frame to a quiet composure. His partner and dearest friend for quarter of a century, Mr. Flood, was with him during his last hours" (San Francisco Examiner, May 3, 1878).

James G. Fair was born of a family of mechanics in Tyrone County, Ireland, December 3, 1831. With his father, at the age of twelve years, he came to the United States, parting with his mother, who could not be induced to cross the ocean or leave her home. His father settled at Geneva, Illinois, where the boy attended school. Here he lost his father, who moved to Alabama to engage in farming while young Fair was left in care of a guardian named Mosley in Chicago. Mosley attended to his ward's schooling, intending him for the legal profession, but Fair did not take kindly to the law. At eighteen he set off with a company across the country for California.

Even at that immature age qualities of leadership began to appear in the sturdy youth. The wear and strain upon the men of the immigrant party told more and more as the trek took its toll in dissension and irritability. Young Fair came to the front among his elders. A tacit management of the tiring band was forced upon him. He would ride miles ahead to find a camping place, or water; and in every way he sought to encourage the party to maintain morale and to reach the distant El Dorado. He parted company with them at Lassen's ranch in California in the summer of 1849 to make his way alone to the placers.

He began his mining career on the Feather River, whence he moved to other spots in the Sierras, pausing with success at Rich Bar on the same stream. His next exploit was at Tabor Mountain, where he tunneled under lava dropping downward three hundred feet to an ore body. Thence he went to Poor Man's Gulch placers, where he met Flood and O'Brien, who conducted a store at that place where they were known as Jack and Bill. That was in 1851. While there, Fair did not know their surnames.

At Angel's Camp, Fair invested in a quartz mill, buying an interest with Erwin Davis, and for the first time he engaged in quartz mining. At that time the Comstock mines were discovered. Some of the ore was sent to his mill. He ascertained he could work it economically, but as the cost of transportation from Nevada proved prohibitive, he went to the Comstock, where he located claims at Virginia City and Gold Hill and erected a mill at a location which he considered promising for rich development. He installed circular, self-operating furnaces, the first of their kind, at least in Nevada. Though the new process was a success, still the ore there was of a low grade. Fair moved to the Comstock. It was at this time that Fair and Mackay met in the mines as mining superintendent and ordinary miner respectively; for Mackay was still feeling his way for the great future before him.

Fair next came into prominence when superintendent of the Hale and Norcross mine, then working for dividends, but with poor success. The month in which he took over the management, a five-dollar assessment seemed inevitable, but he declared a dividend of five dollars a share—a matter of magnitude, no doubt, in the exchange in San Francisco. Meanwhile the "kings" were capturing the mines from the Bank of California, until they had secured thirteen of them, including the California and Consolidated Virginia, and the Union Mill and Mining Company, organized by Ralston and Sharon.

His health failing, in 1879, he was compelled to retire. He left the scenes of his labors and traveled around the world, far removed from care and strain. Even then political party leaders besought him while he was in Europe to accept the nomination for United States Senator. The request was without success. Again on his return, he was petitioned to allow his name to be proposed for the Senate, and he consented. He was elected on the Democratic ticket. In the Senate he served with distinction, and it was then said of him that he was in such a position economically and otherwise that he could afford to speak his mind.

Fair's heaviest interests in the mines were diverted in 1886 to other channels, and at the same time he withdrew from the Nevada Bank of San Francisco, leaders in which had been speculating in wheat, which then held the frenzied attention of grain exchange speculators. Mackay and Flood had become involved in these speculations, in which their loss was estimated at sixteen millions. The Senator was appealed to by interested parties to lend his aid in saving the institution, and in September, 1887, he assumed control of the bank; and when that fact was made public, confidence in the bank was restored.

Fair began to invest in San Francisco real property in 1886, and it was said of him that he eventually owned sixty acres of land in the heart of the city. Among his later enterprises was the purchase and completion of the South Pacific Coast Railway from San Francisco to Santa Cruz—an investment of seven million dollars. Years afterward the railway was bought by the Southern Pacific Company. With Mackay he owned mines in Idaho, Montana and Utah, and they sent old experienced superintendents from the Comstock to examine mining properties in Georgia, some of which they acquired.

In 1862 Fair married Miss Teresa Rooney, daughter of a boardinghouse keeper at Carson Hill, Calaveras County. There were four children of the marriage—James G. Fair, Jr., born at Angel's Camp; Charles L. Fair and Theresa, born at Virginia City, and Virginia Fair. He died at San Francisco in 1894.

"That James G. Fair is no perfect man, that his life is no shepherd's story, his success not wholly free from chance, yet, whether as a miner, senator or banker, whether autocrat on the Comstock, or manipulator in California Street, he possessed a shrewd intellect and strong will" (Bancroft. Builders of the Commonwealth).

While James C. Flood was born in New York in 1826, still it was generally understood by his intimates that he was of Irish descent.

With a common school education sufficient to qualify him for business, Flood began working at an early age in his native city. At twenty-three he set sail on the ship Elizabeth Allen in 1849 for San Francisco. His first venture in California was mining on the Yuba River in what proved to be poor placers, though he was able to save three thousand dollars in two years. Flood imagined he could return to New York and become successful in business, and he sailed homeward with the purpose of settling among old friends. The limited capital, however, proved wholly inadequate to satisfy his ambitions, and he returned to the land of gold and adventure. He engaged in various pursuits in San Francisco after his second visit until 1856, when he formed a partnership with William S. O'Brien in the firm of Flood and O'Brien. This association continued from 1856 in the center of the financial and business part of San Francisco, conducting the "Auction Lunch," where lunch was served daily without cost to the patrons of an elaborate bar.

The story of Flood's rise from the position of partner in the friendly lunch and bar to a commanding place among the capitalists of his day is that of his associates in the bonanza Comstock mines and on the San Francisco stock exchange, and later in the Nevada Bank. After retiring from active participation in mining, he devoted the later years of his life to finance, when he rose to a foremost place in the management of the Nevada Bank. He died February 21, 1889.

CHAPTER XXIX

Pathfinder for Pioneers

PATHFINDER for pioneer emigrant trains to California, and also for John C. Fremont and General Kearny from the Mississippi to the Pacific, Thomas Fitzpatrick, trapper and guide, has been neglected by California historians. And yet, this modest hero of the Wild West discovered the South Pass in the Rockies and opened the transcontinental trail to the Pacific Coast—a route followed by pioneers of Oregon and California, and later by the Central Pacific Railway. With Kit Carson, his pupil, he led Fremont through California. General John Bidwell (Century Magazine, volume xix) declared that were it not for Fitzpatrick the first emigrant train across the country would have perished on the plains or in the mountains. Bidwell's party was prepared to plunge into an uncharted wilderness, knowing nothing of the deserts or mountains before them and oblivious to unsuspected dangers from savage Indians. They faltered when confronted with the realization of their plight. Fitzpatrick came upon the scene by the merest chance and piloted the train over the prairies and through South Pass, and then mapped their route to California. It remained for Le Roy R. Hafen and W. J. Ghent in their book "Broken Hand: The Life Story of Thomas Fitzpatrick, Chief of the Mountain Men," to accord him merited recognition.

Fitzpatrick at the age of twenty-three made his first appearance at the little frontier town of St. Louis in 1822, or 1823, from his home in Cavan County, Ireland. Of him, Hafen and Ghent wrote: "No man is so representative of this epoch. He was with Ashley on the second voyage up the Missouri. He was one of the little party that in March, 1824, made the effective discovery of South Pass, the future gateway to Oregon; he was a leader of trapper bands, an explorer of the wilderness, an Indian fighter, the head of the Rocky Mountain

Fur Company. He guided the first two emigrant trains that set out for the western coast by the Oregon trail, and he took Father De Smet and his fellow missionaries all the way into the remote countr of the Flatheads. He was at once guide and adjutant to Fremont on the expedition that crossed the high Sierras in mid-winter. He showed Kearny, with the Dragoons, the way to South Pass; he led Abert safely through the hostile country from Brent's Fort along the Purgatory and the Canadian to Fort Gibson; he guided the Army of the West, under Kearny, to Santa Fe, and the California expedition as far as Soccorro. He was the first agent appointed for the wild tribes of the plains—a post that he held until his death; and he passed away in the year that white men were first permitted to settle in Kansas and Nebraska.

"He died at the height of his fame. Yet by some caprice of history he was gradually forgotten. He had no biographer, and had been too modest and reticent to be the herald of his own achievements. Though the Indians whom he served venerated his memory, and still foster a tradition of his friendship, and truthfulness, they kept no records and could thus add nothing to the printed page. When, in later times, students and historical writers were attracted to his personality and career by fragmentary references in the early annals, they could find little additional by which to round out his story. . . . Until this work was begun, no one could say, from any current print, where and when he was born, or where, when or how he died."

The world before him, and that in a strange land, at twenty-three, no wonder Fitzpatrick was eager to see more of Nature, to long for adventure. Away to the setting sun was mystery—a wilderness peopled only by savages—much that beckoned to imaginative, adventurous youth. So, on learning of an expedition being organized at St. Louis by trappers with the hope of extending their hunting grounds into the western distance, young Fitzpatrick joined the party. He thus became associated with W. H. Ashley, a leader in the fur trade; Jedediah Smith, James Clyman, a Virginia frontiersman; William Sublett, from Kentucky, and other trappers. The prime purpose was to discover the mysterious South Pass in the Rockies.

To the experienced trappers the story of a pass through the great mountain chain, coming vaguely from Indians, was doubted or regarded as a myth. Now the redoubtable fur hunters set out to discover the pass. Jedediah Smith was captain of the company of explorers, Fitzpatrick second in command. They worked their way to a point now shown on the map as Fremont County, Wyoming.

The little party entered the Rockies by Gradual ascent—a region barren and rolling. Springtime had come and with it a rise in temperature and hilltops began to make their appearance through the snow. No streams were visible in the low places. At last, the worn travelers were astonished at finding water flowing toward the west. They had discovered the long-desired South Pass. Hafen and Ghent declare the effective discovery of the pass dates from its crossing in 1824 by Smith and Fitzpatrick.

"Little did these hardy pioneers dream that they were making a trail destined to be, for nearly half a century, the most important route to the Pacific. It was to be trodden into a pathway by the trappers and the missionaries, the Mormon colonizers of the Salt Lake Valley and swarms of California Argonauts of 1849" (Hafen and Ghent. Broken Hand).

There were other claimants to the honor of discovery of South Pass through the Rockies. Clyman, in his reminiscences, claimed that Jedediah Smith retained command through the pass, notwithstanding his injuries which shortly before had detained the company twelve days in camp awaiting his recovery. Clyman was very old when he reviewed the distant past, and memory might have been at fault. Opposed to his statement is the vigorous language of John S. Robb in an article in the "Weekly Reveille" of St. Louis in 1847: "For the guidance of the future historian of the west, we deem it but just to state, while the witnesses are still living to confirm the assertion that Major Fitzpatrick, in the year 1824, led through the South Pass the first band of white men who ever crossed that route to the Pacific slope. We do not consider our assertion at all questionable, for witnesses of the fact are at present living a few miles from St. Louis; and in the mountains, among the traders and trappers, the

Major's celebrated expedition to the Crow country in the year named, his subsequent discovery of the pass, and the trapping grounds of Green River, are matters of notoriety."

"With horses well laden, Fitzpatrick, at the head of his first command, led his men back east through South Pass. From now on he was to be a leader among men. He was to command trappers in Indian fights and on journeys through regions never before seen by white men; he was to guide missionaries and homeseekers, official explorers and United States troops; he was to take a foremost part in making treaties between the Government and the wild tribes of the plains, and not infrequently was to be called to Washington for conferences on the matters he knew so well" (Broken Hand).

For about four years Fitzpatrick, until 1830, roamed the west, trapping, hunting and periodically fighting Indians. He next appears as a partner in the Rocky Mountain Fur Company in which he was chief manager of an enterprise, for some time holding a monopoly of the American trapping business. With new bands of trappers he journeyed to the Rockies and stopped at the site of Ogden, where he had been once before.

Dr. F. A. Wislizenus, the traveler, met him in 1839, and wrote: "I met the well-known Fitzpatrick, who has passed through many an adventure during his life in the mountains. He was a spare, bony figure, a face full of expression and white hair; his whole demeanor reveals strong passions."

Fitzpatrick's hair turned white in one night while he hid under brush and leaves from Indians hunting his scalp, and thereafter he was known among the friendly Indians as "White Head" as well as "Broken Hand." One of his hands was injured by his rifle exploding.

With Fitzpatrick during many years in the mountains was associated Robert Campbell, one time partner in the Rocky Mountain Fur Company. Campbell was born in Ireland in 1804 and arrived at St. Louis in 1824. He went into the Rocky Mountains the following year, and remained there for eighteen years, most of the time as a close friend of Fitzpatrick. On his return to St. Louis he established himself in the fur business and became one of the richest merchants there.

In a series of articles in the Century Magazine on "The First Emigrant Train to California" (Vol. 19, Page 113), John Bidwell tells of his fortunate meeting with Fitzpatrick, who was then leading Rev. Pierre-Jean De Smet, S.J., and two other Jesuit missionaries in 1841 from St. Louis to the Flatheads in the Northwest. Bidwell was secretary of the first emigrant party, then ready to set out for the Pacific.

"When the party was ready to start not one knew the way, not even the captain," he wrote. "Finally a man came up, one of the last to arrive, and announced that a company of Catholic missionaries were on their way from St. Louis to the Flathead country of Indians with an old Rocky Mountaineer for a guide, and that if we would wait another day they would be up with us. At first we were independent and thought we could not afford to wait for a slow missionary party. But when we found that no one knew which way to go, we sobered down and waited for them to come up; and it is well that we did, for otherwise probably not one of us would ever have reached California, because of our inexperience. Afterwards when we came in contact with Indians our people were so easily excited that if we had not with us an old mountaineer the result would certainly have been disastrous. The name of the guide was Captain Fitzpatrick; he had been the head of trapping parties in the Rocky Mountains for many years. He and the missionary party went with us as far as Soda Springs, now in Idaho territory, whence they turned north to the Flathead nation."

The California emigrant party was saved more than once by Fitzpatrick from annihilation. Bidwell recalls a venturesome member, who strayed away on a hunting expedition, rushed into camp without mule, rifle and most of his clothing. He declared he had been surrounded by thousands of Indians. The news threw the company into a state of wild excitement. Fitzpatrick was unable to assure them, and he prepared for a conflict. Then came forty Indians, well mounted and armed, who camped near the palefaces. Fitzpatrick and John Gray, an old trapper, went out to meet them and a friendly powwow ensued. The Indian chief declared he had to disarm the hunter to keep him from shooting them.

A letter, written by Father De Smet September 1, 1841, to his Father Provincial at St. Louis, contains a note on this incident. The letter is published in the correspondence of the pioneer missionary in Chittenden and Richardson's "Father De Smet's Life and Travels Among the North American Indians." His version differs from Bidwell's account, as it relates that one of Bidwell's train fired at approaching Cheyennes and they deployed for battle. Fitzpatrick checked their advance and soon he and the Indian chiefs were smoking the calumet (pipe of peace).

After getting all the information they could from Fitzpatrick at Soda Springs, Idaho, the emigrants regretfully bade him good-by and faced southwest for California.

In connection with Fremont's second expedition to the Pacific and through California in 1843 and 1844, the name of Fitzpatrick frequently appears. But one local historian mentions his part in Fremont's memorable ride and passage of the Sierras in winter. The "History of California," edited by Zoeth S. Eldredge, gives this account: "When John C. Fremont on his return from the Columbia, whither he had been guided by Fitzpatrick, determined on entering California, he was assured by Indians it was impossible to force the snow-covered Sierras from the Carson River. Not one of the Indians could be hired to act as guide, but Fremont having with him mountaineers of long experience, Christopher (Kit) Carson and Thomas Fitzpatrick, their assistance was not necessary. The crossing was made a little south of Lake Tahoe in a little more than thirty days, the party reaching Sutter's Fort March 8. Fremont made no pretentious claim of being a discoverer, but gave credit to Carson and Fitzpatrick for leading the way."

The expedition from its start was divided into two forces, with Fitzpatrick acting as adjutant and quartermaster in charge of the main force. In 1848 when Fremont was at Brent's Fort he made a detour of thirty miles to the "Big Timbers" to visit his old friend, Fitzpatrick, who was stationed there as Indian Agent (Allen Nevis. Fremont).

Fremont invariably refers to "Mr." Fitzpatrick in his "Memoirs," as he does to Preuss, the topographer of his party. His diary, dealing with the passage of the Sierras, indicates that he depended on Fitzpatrick in the days of doubts:

"Jan. 27. Leaving the camp to follow slowly with directions to Carson to encamp at the place agreed on, Mr. Fitzpatrick and myself continued the reconnoissance.

"Jan. 29. I went ahead with Mr. Fitzpatrick and a few men, leaving the camp in charge of Mr. Preuss.

"Feb. 4. I encamped on the ground with my own mess, and directed Mr. Fitzpatrick to encamp at the springs and send all the animals in charge of Tabeau to the place where they had been pastured the night before.

"Feb. 6. Accompanied by Mr. Fitzpatrick, I set out today with a reconnoitering party on snow shoes. One of the men, Fallon, became fatigued and his feet began to freeze, and building a fire in the trunk of a dry old cedar, Mr. Fitzpatrick remained with him until his clothes could be dried and he was in a condition to come on."

After reaching the summit with Carson and Fitzpatrick he continues with his diary:

"Feb. 25. Believing that the difficulties of the road were passed, and leaving Mr. Fitzpatrick to follow slowly, as the condition of the animals required, I started ahead this morning with a party of eight."

The advance party reached Sutter's Fort March 8, and sent back a relief company to the main force then approaching.

Fitzpatrick continued as quartermaster in the march through California to the south and across the Colorado on the Santa Fe trail. Tabeau, one of the party, was slain by Indians on the return journey, and Fremont notes in diary: "May 10. This morning, as soon as there was light enough to follow tracks, I set out with Mr. Fitzpatrick and several men in search of Tabeau."

Fitzpatrick appears at many places in the pages of Cardinal Goodwin's "John Charles Fremont: an Explanation of his Career," published by the Stanford University Press. Goodwin writes that in Fremont's second expedition he had Carson and Fitzpatrick, "the two best guides in the country"; also that Fitzpatrick conducted the main force across the plains to the south of the Laramie River and along the emigrant trail to Fort Hall, while Fremont led an exploring expedition west and north over the mountains. Other references to him in this work obviously are taken from Fremont's Memoirs.

In preparation for war with Mexico in 1845, two expeditions were sent out by the Government, one under Fremont, another under Lieutenant Abert, the former to California, the latter to the Texas Panhandle, while still another expedition was organized by Colonel Stephen Watts Kearny, designed to impress the Indians west of Arkansas to far beyond the Platte, who were growing restless and objecting to the increasing tide of emigrant trains through their territory. Fear of an Indian uprising simultaneous with a conflict on the southern frontier was the cause of the Kearny demonstration. Fitzpatrick was chosen by the Government as guide to Abert and Kearny. He led Kearny's five companies of Dragoons to South Pass and back again over a southern route to Fort Leavenworth. In his report on the show of force, Colonel Kearny regarded the Oregon trail as too roundabout and recommended exploration for a more direct route, and for that purpose he urged the appointment of Fitzpatrick as "one who has as good, if not better, knowledge of that country than any other man in existence."

Three days after reaching Fort Leavenworth, Fitzpatrick joined Lieutenant Abert as his executive officer and guide through a wilderness to Texas and back again to St. Louis. Abert gives him this tribute in reporting to Washington: "He had acquired an intimate knowledge of the Indian character, which enabled him to conduct our little party safely and successfully through a country inhabited by numerous and powerful hordes of people, long notorious for their faithlessness and treachery. . . . The preservation of our party was due to his vigilance and discretion."

When war was declared with Mexico in 1846, Fitzpatrick was chosen by General Kearny, then promoted from colonel, to lead the Army of the West to Santa Fe. Reaching New Mexico, dispatches from the army in California were entrusted to him, and on his way to Washington he received his appointment as Indian Agent for the Far West.

In 1849 he married Margaret, the daughter of John Poisal, French-Canadian trapper, and Snake Woman, sister of Chief Left Hand, an Arapahoe. His wife gave evidence of education, possibly at St. Louis. At one of the treaty councils sixteen years later, she served as government interpreter. There were two children of the marriage. In 1854, while in Washington on official business, he died.

While Fitzpatrick's scene of action was beyond the confines of California and consequently a sketch of his life may not have a place among the state's pioneers, still he opened the trail for California pioneers to cross the country, and as Indian Agent made the way comparatively safe for them; and he was one of the first men to cross the Sierras in winter and to ride through California.

Although Fitzpatrick was buried in the Congressional cemetery in the nation's capital, yet by reason of some unexplained negligence, he rests in an unmarked grave.

CHAPTER XXX

Poems from the Placers

THE STUDENT of California history dealing with the first years of the American occupation may look in vain for the name of Bartholomew Dowling. Even in anthologies of the literature of that period, when the new frontier became conscious of a literary awakening, it is missing; and yet Dowling, a miner in the early fifties, wrote verse that should have associated his name with the days of gold.

In poetry, Dowling was at his best in the narrative, or ballad form, and as a contributor to the ballad poetry of Ireland he was most distinguished. He essayed occasional expression in tender lyrics. In that vein he was happy. Assuredly there is little better from the California poets than this dainty verse from one of his poems:

A breath of south wind, floating free,
Wafts odors faint from distant flowers,
Waking a subtle sense—and hours,
Long banished, come again to me.

Bartholomew Dowling was born in Listowel, Kerry County, Ireland, about the year 1823. He reached California early in 1852, and engaged in mining. Finding the work uncongenial and beyond his physical ability to withstand its rigors, he left the mines and tried farming in the seclusion of Crucita Valley, nestling in the Contra Costa hills. There he built himself a home and lived the life of a bachelor on his own acres; and there, too, he shared the hospitality of his board with John Michel, General James Shields and Terrence Bellew McManus, his dear personal friends and conspicuous Irish patriots, while they were sojourning on the Pacific slope.

He spent a few years on his ranch, and later lived in San Francisco, where he continued to write while editing the "Monitor" for the founders of that journal.

P. J. Thomas, a printer from Dublin, whose name for many years was prominently identified with the printing and publishing business in San Francisco, and other well-known San Franciscans in 1858, induced Dowling to leave his country retreat for a place among them as a writer and editor. It was then said of Dowling that his stories, essays, and poems, if collected, would make a portly volume. While he did not make literature a profession, still from his advent in the mines until the end in San Francisco, Dowling wrote much that had real literary quality.

Oddly enough—and this may account for his effacement—his writings, in prose and verse, appearing in the San Francisco periodicals in the fifties, were mostly published anonymously without any thought by Dowling of preservation. During his mining experiences, Dowling wrote racy sketches and poems, which were printed in the "California Pioneer," under the nom de plume of "Hard Knocks." In a whimsical poem, "Reminiscences of the Mines," he depicts life in the placers quite as graphically as some of the best-known writers of his day. It was published in the "Pioneer" magazine for November 1855. Sometimes he wrote under the pen name of "Southern"; sometimes over the initial of his surname, yet his favorite signature was "Masque." In "Hayes' Ballad Poetry of Ireland," some of his poems were anonymously printed, possibly because of the obscurity of his pen names. But one bore his own name.

The only sketch of Dowling's life, at least in California, is found in a volume published in 1892 in San Francisco, "Irish Poets and Novelists," by Rev. D. O. Crowley. For this book the author collected many of Dowling's verses and quoted with approval a brief biography written at the editor's request, "by a gentleman who for more than twenty years enjoyed the personal friendship of the deceased poet."

Reference is made by the biographer to a little volume issued in this city in 1889, entitled, "A Chapelet of Verse by California Catholic Writers," edited by Rev. D. O. Crowley and Charles Anthony

Doyle. In it was printed Dowling's heroic ballad, "The Brigade at Fontenoy." The Boston Pilot desired to get information regarding the author. A similar inquiry appeared in the "Irish Monthly," published in Dublin under the editorial direction of Rev. Matthew Russell, S.J., an eminent poet, scholar, teacher and literary critic. In a brief mention by Father Russell, Dowling was given high rank in the brilliant galaxy of gifted young Irishmen who threw themselves and their fortunes into an inspiring national movement inaugurated by the Dublin "Nation."

That the "Irish Monthly" was interested in this poem to the extent of asking for information about the life of its author is significant since the Dublin magazine was regarded in literary circles there as one of the best in cultural considerations.

The versified narrative of Dowling glorifies the Irish Brigade fighting for France in the battle of Fontenoy against the English. Too long to quote in full, two verses are chosen as typical:

The trumpet blast has sounded
  Our footmen to array,
The willing steed has bounded,
  Impatient for the fray,
The green flag is unfolded,
  While rose the cry of joy:
"Heaven speed dear Ireland's banner
  This day at Fontenoy!"

With one shout for King Louis,
  And the fair land of the vine,
Like the wrathful Alpine tempest
  We swept upon their line.
Then rang along the battlefield
  Triumphant our hurrah,
And we smote them down, still cheering,
  "Erin, slanthagal go bragh."

Dowling's biographer is silent on the intimate facts of the poet's formative years. While nothing is said of his education, or where he studied, yet it is recorded of him "he was versed in the Latin and several of the modern languages."

He carried with him a volume of Beranger's poems, the gift of his friend and compatriot, John Michel. From them he made translations, which were published in San Francisco. He had such command of the German language that he delighted in doing German poetry into English. Here is the first verse of his translation of a poem, "Prayer During Battle," from the German of Theodore Koerner:

Father, I call to thee!
  Roaring around me the cannons storm;
Like a shroud their lightnings enwrap my form.
  Guide of the battles, I call to thee:
Father! to-day be a guide to me.

Most of Dowling's historical verses were written in his youth for the "Nation," a literary and patriotic journal published in Dublin at a time when its editors had determined to write a ballad history of Ireland. The "Nation" was one of those rare productions, voicing the aspirations of patriots in prose and verse, and having for its frequent contributors men and women distinguished as authors.

Evidently Dowling was a man easily stirred to the depths by events appealing to the imagination. In 1858 his poem, "The Relief of Lucknow," was written by him and published in San Francisco, accompanied with an explanatory note to the editor that he could not help versifying this heroic episode, because of his admiration for the bravery and endurance of the rescuers and rescued. He added, he had no sympathy with the cause, policy or government whose work they were doing. Quite incidentally he recalled that the music of the Scottish Highland pipes embodies ancient war songs of the Celt. In this narrative verse, he tells of a Scottish lady among the besieged, anxiously watching and listening for the arrival of expected support:

A cry of joy bursts from her lips.
"I hear the pibroch's play
'Campbells are Coming'—they'll be here
Before the break of day."

* * *

Again the night wind brought the sound
Of the pibrochs of the Gael.

* * *

They come, the Highlandmen,
Upon the dusky foe,
And an aged warrior leads them on,
With a youthful hero's glow;
And the pibrochs play the marching step
Of a thousand years ago.

A dreamer, Dowling apparently shrank from the worries and struggles of business, or public life, after settling in San Francisco; and he made no figure among the prominent men in the city of his choice. He took no part in politics beyond keeping in touch with changing issues of the day and giving his opinion in editorial comment. Though fond of the society of active and learned men, a fine conversationalist and brilliant public speaker, yet he was never seen in the political arena in California. An accident cut short his career at the age of forty, when he passed away in November, 1863. Quoting from "Irish Poets and Novelists": "The Irish-American societies of San Francisco accompanied his mortal remains to their final resting place in Calvary cemetery, where a handsome monument, erected by his brother, William Dowling, marks his grave and perpetuates his name."

CHAPTER XXXI

Joseph A. Donohoe, "Safe Banker"

THERE was a day when San Francisco, still young, passed through a period of reaction as gold dust was blown to the winds of wild speculation and rich men became paupers while comparatively few found themselves millionaires.

The wild adventure begun in forty-nine was in reality a gamble with fate. A decade passed when the primitive method of washing gold dust with shovel and cradle from Sierra sands was giving way to larger enterprises in the hands of small groups of bolder and abler adventurers. Science and skill, brains and courage combined to place captains of industry in power and in control of mining in California and Nevada, culminating in the vast Bonanza. The inevitable result was to arouse in San Francisco visions of possible enrichment, whether fact or fancy. Crowds plunged into the melee of stock exchange speculation, hoping to share in the luck of the men who had already amassed millions in mining, banking and stock manipulation.

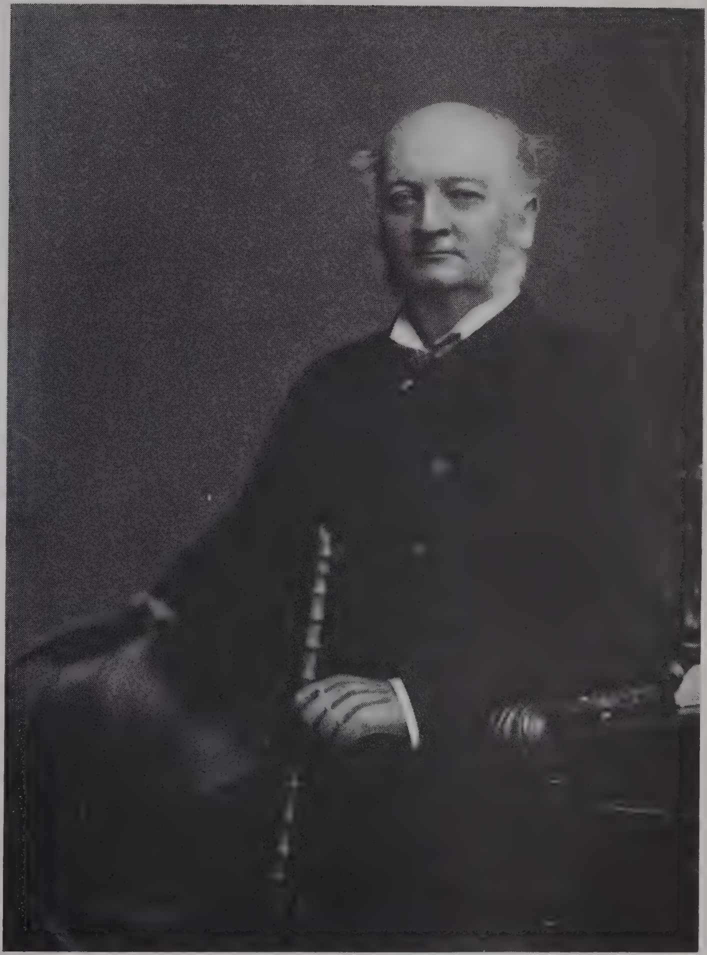
San Francisco was the clearing house for truck loads of gold and silver bullion on its way to an eager waiting world; and as these millions in precious metals arrived, a new flock of adventurous gamblers avidly schemed to play with them after the fashion of unbridled high finance. The card-sharper and the roulette table became trivial in comparison with the new order of things—the mining stock exchange in a frenzy of speculation and inflation.

Almost every man in the city was an adventurer, and the spirit of the adventurer, in presence of the stock board, still held its allurements for him, as if *Auri Sacra Fames*—the accursed thirst for gold—were the motto of the city of St. Francis.

Contemporary writers tell of wholesale frauds in mining stock deals. Part of the city press inveighed against crooked bankers and stock operators. Disturbances in national economics and finance at times added fuel to the fire. Banks failed through disregard of obligations to their patrons, and panics packed the streets of the financial center with maddened mobs. The finale was the crash of Ralston's institution, the Bank of California, upon the discovery that vast sums of money popularly supposed to be in the vaults had melted into thin air, and in their stead were debts of the bank of a grand total of many millions of dollars.

But a few conservative, honorable bankers walked the streets, their heads erect, knowing they had the confidence of the people. Among them was Joseph A. Donohoe, familiarly called "The safe banker." The story may be found in Bancroft, Hittell (History of California), Ralston's Ring, Ralston, the Courageous Builder, The Big Bonanza, and in various other sources.

The city had a period of remarkable prosperity in 1854, but soon thereafter the first crash came upon the community. Banks closed their doors, one or two of them reopened, though meanwhile panic ensued. In the middle sixties devastating panics following failure of banks left San Francisco prostrate. Quartz mining, demanding millions of dollars for operation, made a distinct impression on the financial set-up; and with it all, the stock exchange became the bait for a new gamble. The books are replete with manipulations on the exchange by mine magnates secretly "bulling and bearing" prices of stocks with the knowledge of certain bankers. So millions changed hands usually from the lambs. So some millionaires were made. With the combined instinct of showmen and speculators handling the vast sums deposited in banks great enterprises were originated. Winners on the exchange placed their gains with the bankers, and faster than these sums came in they were squandered without any thought of the morrow. Barnum was outdone. No doubt, the battle between the Bonanza Kings and the Bank of California for supremacy contributed largely to the final fiasco. How the poor misguided men and women on the outside in their gambling propensities clung



Joseph A. Donohoe

to the Will-o'the-Wisp game, at best, is but a painful thought in this day.

Ira B. Cross, Ph.D., in "Financing an Empire," relates that the bank of Fretz & Ralston, in December, 1860, joined with Joseph A. Donohoe and Eugene Kelly and began business January 2, 1861, as Donohoe, Ralston & Company, and later Eugene Kelly & Company of New York was organized to represent the San Francisco house in the East.

"The enterprise was wonderfully successful. The first rise in gold that occurred succeeding the outbreak of the rebellion was a fortunate fluctuation for them, and they reaped a most bounteous harvest. The San Francisco firm soon took the lead in the banking and bullion business in the state. The immense bullion shipments from the mines in California and Nevada passed through its hands" (Phelps. Contemporary Biographies).

"In 1861 Joseph A. Donohoe and Eugene Kelly came into the firm, which now took the name of Donohoe, Ralston & Company, the partners being Joseph A. Donohoe, William C. Ralston, Eugene Kelly and Ralf S. Fretz. For some time the affairs of the house progressed smoothly, and then, it is said, Donohoe became dissatisfied with the character of some of the loans Ralston was making. However this may have been, early in 1864 Ralston began making preparations for establishing a new bank. As subscriptions to the stock came in, Ralston invested the funds in choice paper, discounts, bonds, etc., so that when the bank was ready to open it might start with a good business on the books. All of these proceedings were kept secret from Donohoe & Kelly, who knew nothing of what was going on until the middle of June, 1864, when, on the fifteenth day of the month, the Bank of California was incorporated. On June 30, the firm of Donohoe, Ralston & Company was dissolved and the business continued under the name of Fretz and Ralston until the opening of the Bank of California on July 5, 1864 (Zoeth Eldredge. History of California).

"Donohoe and Kelly formed the banking house of Donohoe, Kelly & Company, and they, with Ralston, contended for the business of Donohoe, Ralston & Company" (Zoeth Eldredge). Eldredge, by the way, was a banker. They carried on successfully after the Bank of California failed in 1875, in fact their business increased from the day they opened the doors of their bank until they ranked among the foremost bankers of San Francisco in that year. Edney Stagg Tibbey, who for years was accountant under Ralston, stated that W. S. O'Brien, one of the Bonanza Kings, had assured him that the Bonanza Kings had one and a half millions in gold coin in the vaults of the Donohoe, Kelly Company's bank for deposit in the Nevada Bank on its opening. The break with Ralston was fortunate for them, as Hittell (History of California) states that on the failure of the Bank of California, it was discovered for the first time that he had misappropriated between four and five millions of dollars of the bank's capital. At that time Donohoe, Kelly & Company was one of seven banks unaffected by the panic.

Donohoe, Kelly & Company continued as private bankers until the incorporation in March, 1891, of the Donohoe, Kelly Banking Company, since when the business was continued. Some of the private bankers did a large business, and this was particularly true of Donohoe, Kelly Banking Company (Wright. Banking in California).

In the report of the Bank Commissioners, July 1, 1891, is the following statement: "It is worthy of note that our State system had been adopted by such long established and high-standing bankers as Donohoe, Kelly Banking Company, Tallant and Company and Rideout and Smith." Joseph A. Donohoe was president of the new bank, John Bermingham, vice-president, Edward Donohoe, cashier and secretary; directors, Joseph D. Grant, Joseph A. Donohoe, Eugene Kelly, John Bermingham, George Whittell, R. H. Pease, Edward Donohoe, C. de Guigné and E. L. Eyre, all prominent and respected men of San Francisco.

An interesting fact in the lives and careers of these two men, Joseph A. Donohue and Eugene Kelly, is their intimate association in business and their close friendship for nearly half a century. In 1846, when only twenty years of age, Donohoe became associated with Kelly in business and he continued as his partner and business associate in various projects and enterprises for nearly fifty years (The San Francisco Chronicle of April 5, 1895). They were born in Ireland about the same time—1826. They began the struggle of life in a dry goods house in New York, where they first met. Kelly moved a few years later to Kentucky and thence to St. Louis, where he took into partnership Donohoe and Daniel T. Murphy and the firm operated the largest dry goods house in that city.

Not content with their business there, they determined upon San Francisco for their future, and all three met in California in 1850. Donohoe tried his fortune trading at Sacramento and at mining camps. Two years later they established a dry goods firm in San Francisco under the name of Eugene Kelley & Company, and took into partnership Adam Grant and Thomas Breeze; and as the end of the fifties approached they had accumulated fortunes. Donohoe retired and took a trip around the world on a sailing ship. Upon his return to San Francisco he joined Ralston in the banking firm of Donohoe, Ralston & Company, with Kelly as one of the partners. Kelly went to New York and established the bank of Eugene Kelly & Company, which was the eastern branch of the local bank. The connection did not last long, for after parting company with William C. Ralston, Donohoe and Kelly opened their own bank. Through perilous years they prospered. The News Letter of April 15, 1876, stated "No man in San Francisco was considered more safe than Joseph A. Donohoe—proof of which was given in the panic of 1876, when some of the leading bankers failed. Not only was there no run on the Donohoe, Kelly bank, but a flood of money from other establishments was poured into its vaults."

Joseph A. Donohoe died April 5, 1895; Kelly, December 12, 1894—only a few months between in the twilight of a remarkable half century of companionship.

Although a pioneer of California, yet Eugene Kelly was not one of the frontier settlers, for he did not stay long in California, his banking enterprises taking him to New York, where he lived while directing the bank of Eugene Kelly & Company. Donohoe remained in San Francisco, retaining his interest in the New York bank as

Kelly entrusted his share of the San Francisco institution to his partner.

From the beginning of his career in San Francisco, Donohoe ranked among the foremost men of the city. His family moved in the exclusive circles of society. It is recorded that when Ralston's California Theater in Bush Street, near Kearny Street, opened January 16, 1869, Ralston and his family occupied the center box, and "the Hall McAllisters, Leland Stanfords, Hagginses, Tevises, Crockers, Freeborns, Donohoes and a score others streamed into the theater from passing carriages." In the History of San Mateo County by Frank M. Stanger, 1938, is a note that Donohoe built a mansion near San Mateo in 1868. His town house was on Rincon Hill, a fashionable part of the city in those days. In 1864 a relief committee was appointed by the Board of Supervisors for the relief of the people in southern California with Ralston as chairman. The members of the committee were Joseph A. Donohoe, William T. Coleman, later president of the Vigilance Committee, and R. B. Woodward.

The San Francisco News Letter of April 15, 1876, states "He was one of the originators with Peter Donahue of the project giving San Francisco gas light, and he held a leading part in the direction of that company. With James Donahue he built the Occidental Hotel and completed the building after James' death. . . . In every enterprise for the advancement or improvement of the city he took a leading part. . . . Essentially a modest man, shunning notoriety and avoiding wherever possible public office, his one exception was the presidency of the Chamber of Commerce of San Francisco."

In an obituary notice, the San Francisco Chronicle, April 5, 1895, says of him: "From the palmy days of the gold rush he was closely identified with the prosperity of San Francisco. He gave the greater part of his time to the affairs of his banking business and his real estate possessions, which latter increased with the rapid accumulation of his wealth until they now include some of the most valuable pieces of real property in the city. . . . How well he succeeded in looking after the bank's affairs is shown by the standing of the institution in the banking world today. . . . His death will be a loss to the business community and he will be regretted by a wide circle of friends."

He was survived by his widow and three children, Joseph A. Donohoe, who married a daughter of Mrs. A. M. Parrott, Edward Donohoe, and Mrs. John Parrott.

The pall-bearers, who escorted their departed friend to the grave, were Adam Grant, A. B. Forbes, Peter Donahue, Howard Havens, Joseph G. Eastland, H. A. Loughborough, Louis B. Parrott and Professor George Davidson.

His son, Joseph A. Donohoe, who succeeded to the banking business, died at Atherton, May 18, 1939—just ten years after retiring and selling the bank to the Bank of America. Surviving him are Joseph A. Donohoe, Jr., Christine M. Donohoe, Katharine M. Donohoe, Barbara Donohoe and Mrs. Mary D. Carter. His brothers-in-law were Christian de Guigné and the Count Auguste de la Lande of Paris.

CHAPTER XXXII

General Patrick Edward Connor

A PIONEER of California, when the future held promise of wealth and an abundant life for him in his home in Stockton, Major General Patrick Edward Connor volunteered for service in the United States army during the civil war. He literally burned his bridges behind him on riding away over the mountains to keep open the overland route from California to the Missouri River. His story is told only in official army documents, in C. C. Goodwin's "As I Remember Them," published in Salt Lake City in 1913, and in "Soldiers of the Overland" by Major Fred S. Rogers, U. S. Army, a Grabhorn book published in 1938.

Probably no pioneer was more useful to the Pacific frontier and to his adopted country than General Connor. With his company in the Mexican War he bore the brunt of the fighting in the Battle of Buena Vista—the beginning of the end, culminating in the Treaty of Guadalupe Hidalgo ceding California to the United States. What he did during the formative years of California—the fifties—cannot be found in the State's histories; for it is not there. In response to a call from President Lincoln for troops, he rode at the head of his regiment from Benicia as its colonel. Soon thereafter he was given command of a division, raising his rank to brigadier general. He kept the long road open to the Pacific Coast, and he retired with honor as a brevet major-general.

General Connor was born in Ireland in 1820. He accompanied his parents at an early age to New York and at nineteen enlisted in the regular army of the United States. Service in the cavalry on the western frontier, to quote Major Rogers, "developed in him qualities of discipline, aggressiveness, endurance and courage." His was the life of a military ranger for five years in the wilds of Iowa Territory until honorably discharged at Des Moines in 1844. For a change he chose living in New York until 1846, when he volunteered for duty in Texas as first lieutenant of infantry, the Texas Foot Riflemen. This organization disbanded and, changing his name from O'Connor, he enrolled in Texas and on September 1, 1846, was mustered into the service of the United States in Mexico as first lieutenant. He was promoted to the rank of Captain the following February, and the company was thereafter known as Captain Connor's company. Ten days later the United States army met Santa Anna's Mexican army at Buena Vista; another day saw the little American army in possession of the field. Captain Connor lost many of his company, and although severely wounded himself in the morning, he continued to fight with his men. He was honorably discharged for disability in May, 1847. January 22, 1850, saw him arriving in California.

With three lieutenants of the navy, Captain Connor chartered the brig Arabian, and sailed from San Francisco, March 10, 1850, to discover the mouth of the Trinity River and to settle there, in the belief that the river flowed into the ocean. The expedition met with disaster. A party left the brig in a whale boat for the purpose of examining the shore. The boat was upset on the rocks. Of the ten men in the boat, five were drowned. The survivors, who had reached a rock upon which their boat was lying, righted her, got in, and were washed ashore. They eventually reached the brig, and when rescuers in a schooner at the scene informed them that the Trinity emptied into the Klamath River, they sailed for home.

Excitement was high at the time over rumors of gold in the Trinity, so Captain Connor lost no time in making an overland journey to the northern placers—if any were there. At Sonoma he organized an expedition of forty men with wagons and a mule train, only to be turned back by mountains and snow at the Eel River. The venture was a failure and Connor had to cut a trail through the redwoods to

Humboldt Bay. With characteristic persistency he began cutting piling with the intention of selling it in San Francisco. Again he met with failure, for the product had fallen in value, leaving him with lumber that would not pay for its hauling. However, he was not discouraged. He made a careful survey of the Bay, its shoals and currents, taking and mapping soundings, and with the knowledge thus acquired he became a pilot on steamers plying to San Francisco.

When the legislature authorized formation of the California Rangers in 1853 for the purpose of capturing or killing Joaquin Murieta and his outlaw bands, Captain Connor joined the company under Harry Love. After a hunt of two months, the Rangers killed Murieta, Three-fingered Jack and ten other members of the gang (John R. Ridge. Life and Adventures of Joaquin Murieta). In the melee, Captain Connor rode after Three-fingered Jack, with two or three of the rangers. The bandit, realizing he could not escape, turned and fired at his pursuers, but only one of the shots out of six went off. The Captain was nearest the bandit, who swung a blow at him with the butt of his revolver only to receive a fatal bullet.

Returning to Sacramento, Connor wrote a letter to W. J. Howard of Stockton declaring he was "flat broke" and worried over whether he would receive part of the award for ridding California of the Mexican outlaw band. He complained of serious eye trouble and went to San Francisco for treatment, and while there made a surveying contract with Colonel Jack Hayes, surveyor-general of California (an acquaintance of his in the Mexican War), to survey in the Kern district. He married Miss Johanna Connor in San Francisco, August 14, 1854, who had come to the Pacific from his own county in Ireland.

With Howard he formed the surveying party in the month of his marriage and immediately proceeded to the Kern River and Tejon Valley, accompanied by his young wife. The surveys completed, the Connors returned to Stockton, where they established their home on a ranch about two miles from the town. Finding gravel deposits on the farm, the captain built a concrete house for the family home—

an object of much curiosity and interest for years. Three sons were born in that home—Thomas Jefferson, Edward Maurice and Maurice Joseph. The first two died at an early age.

In 1858, Captain Connor established the Stockton city water works, and on completion of an artesian well at the county court house in 1859, he obtained an exclusive contract for supplying the city with water for a term of twenty-five years, he agreeing to pay $700 a year for the privilege and to furnish all water necessary for the city and county purposes. His next enterprise in contracting was a ninety-thousand dollar contract to lay the foundation for the State Capitol at Sacramento. He was released therefrom on entering the service of the United States as colonel of the Third California Volunteer Infantry regiment.

In arranging for the celebration of Washington's birthday in Stockton in 1855, the "Guards" and others were organized to join a volunteer company for a parade with Captain P. E. Connor commanding. This company was called the City Guard. In December, 1856, the Stockton Blues were organized with the captain as first lieutenant and later captain (George T. Tinkham. A History of Stockton). Meanwhile, Captain Connor was honored with offices of public trust, such as Secretary of the State Fair, Treasurer of the San Joaquin County Agricultural Society and Postmaster of Stockton.

C. C. Goodwin, in his book "As I Remember Them," tells of this period in Connor's life in Stockton: "He lived a very rugged life in Stockton. There was a center of very determined southern men. Judge Terry's home was there, and there were a great many others; and as the war drew near, the feeling ran very high, and Captain Connor was a mark of especial detestation by some of these men. His life was a hundred times threatened and he walked those streets day and night for two or three years when he was not certain he would live a minute. But he was always resolute for the Government and the Union and courted, rather than avoided danger.

"He established the Stockton water works and was drawing from that source $8,000 a year and had a contract for building the foundation of the State Capitol. He was released from that, however, by the legislature of 1861, being ordered to report with his command. Later in the war, when the colonel was promoted to general because of his services, he was offered a high place in the army, but he preferred, with the close of the war, to give up his army life to devote himself to mining. He mined in Utah and Nevada, and he continued his work up to within a few weeks of his death. He died in Salt Lake City and was given a splendid military funeral, with Colonel Rose, U. S. Army, in command.

"He earned the name of being about the best Indian fighter in the army. He was one of those men who held his life at the service of his country every moment from the time he enlisted in the Florida War until he laid down his life.

"Born in a foreign land, not much accomplished in the schools, coming to this country a poor emigrant, at the first call he offered his life, and that offer remained open until he died. From an obscure foreign boy, by his own merits he rose until the stars of a major general glittered on his shoulders. He was a gifted soldier. His courage was immeasurable. His love for his adopted country was a grand passion. He did the work appointed for him to do perfectly, and he sank to rest with 'all his country's honors blest.'"

General Connor's part in the Civil War was relegated to the western arena—the Union army's right flank, as it were; in other words, keeping the Pacific Coast and the western territories closely connected with Washington and clearing the overland route of hostile Indian tribes and making it safe for travelers, the mails and commerce. Major Roger's admirable account, reading like an adventure story, yet distinguished for its military precision as to facts, affords a full and highly interesting review of the General's activities.

When the Governor of California issued a call for troops, August 23, 1861, on that day Connor offered his services and was mustered in at Camp McDougall, three miles south of Stockton, September 3, 1861, as colonel of the Third California Infantry, to serve three years. Tinkham, in his "History of Stockton," relates that in Sep-

Major General Patrick E. Connor
in uniform of Brigadier General

tember a recruiting office was opened in Agricultural Hall and as volunteers joined the colors they were assigned to the camp. After two months at Camp McDougall, the regiment was ordered to Benicia barracks, where Colonel Connor moved with his family. On leaving Stockton he was presented with a fine horse, saddle and bridle, costing more than six hundred dollars (Major Rogers).

As the Third Infantry regiment was ready to march from California, they were given final inspection by General George Wright, Commander of the Department of the Pacific. His official report (War of the Rebellion) was: "The regiment made a very fine appearance; the arms, clothing and equipments were in high order. The industry and untiring zeal and energy of Colonel Connor is manifest throughout. He has a regiment that the state may well be proud of."

"The Third Infantry regiment of California volunteers numbering sixteen hundred and thirty-four members, whose colonel was Patrick E. Connor, renowned for his fighting qualities, was organized at Stockton and Benicia, and was employed in protecting the central overland route from Nevada eastward, having a rough, ungrateful service. Connor was promoted to brigadier general March 29, 1863" (Bancroft. History of California, vii, 469, note).

When Connor was promoted to brigadier general in March, 1863, and for some years afterward, he commanded all the troops guarding the overland mail route as far east as the Missouri River. . . . The Indians had been making trouble on the emigrant route, between Bear and Humboldt Rivers, for a number of years, and in 1863 killed miners northeast of the present city of Ogden. Connor put an end to these massacres (Eldredge. History of California).

"The California legislature of 1863, in an outburst of patriotism for the Union, adopted resolutions of loyalty to the Union, and among other things, resolutions were passed thanking Colonel Connor and the volunteers of the Second Cavalry of California for their gallant action at Bear River in Utah" (Bancroft. History of California, vii, 298).

General Connor's campaign presented a variety of problems. He had to select sites for forts while taking care not to go too close to Salt Lake City in the selection. The Mormons were suspicious of Gentiles; they did not welcome the soldiers. The situation demanded nice diplomacy. Apparently Connor was as successful in making friends as he was with the sabre, for Brigham Young is quoted as saying: "Men have been here before him; to our faces they were our friends; but when they went away they traduced, villified and abused us. Not so with Connor. We always knew where he stood. That's why I like him" (Salt Lake Times, Dec. 18, 1891).

In his Indian fighting his terrain comprised six states—Nevada, Utah, Idaho, Colorado, Wyoming and Nebraska. In one of his years of service he covered three thousand miles in the saddle, riding with his command instead of staying at headquarters. Three of the division's battles were Bear River, Idaho; Rogue and Powder Rivers, Wyoming.

The General's letters and documents, such as general orders and reports, fill many pages of General Orton's California State publication, "Records of California Men in the War of the Rebellion."

Retiring to private life, General Connor went to live in Utah, where he engaged in mining. He was the first to introduce electric light in Utah and first to operate the steamer he built, the "Kate Connor," on Salt Lake. He was known as the "Father of Utah Mining." He always considered California his real home; his family moved there in the late sixties and lived at Redwood City, where Mrs. Connor died in 1899. The General died in Salt Lake City December 17, 1891. His funeral is described as a great military cortege, led by the Sixteenth U. S. Infantry with civic and military organizations participating. Services were conducted by the Reverend Father Kiely and C. C. Goodwin delivered an eloquent eulogy.

A fitting memorial was erected to General Connor's memory in the cemetery of Fort Douglas and on Memorial Day, 1930, it was unveiled before a large assemblage of soldiers and civilians. Mrs. Bartley P. Oliver of San Francisco, daughter of General Connor, raised the flag covering the monument. The Thirty-eighth Infantry presented arms and a salute of cannon echoed over Salt Lake Valley. Beneath a bronze bust of the general is this inscription:

PATRICK EDWARD CONNOR

Brigadier General and Brevet Major-General
U. S. Volunteers
Born March 17, 1820, Died December 17, 1891
Camped in this vicinity with his California volunteers
October 20, 1862
Established Camp Douglas, Utah, October 26, 1862
Participated in the Battles of
Buena Vista, Bear River and Tongue River

* * *

The Father of Utah Mining

Erected 1930 by the Garrison of Fort Douglas. Utah
Assisted by the Utah Historical Landmarks
Association and Patriotic Citizens of the West

CHAPTER XXXIII

Finale

SO FAR, the theme, begun with a Spanish title, "Esos Irlandeses," has unfolded itself to a point of saturation, where it might seem incumbent to conclude with a chapter on "Those Irishmen" after research of six years. The writer is aware of the fact that further research would discover many California pioneers of Gaelic origin, who, while not spectacular, were, nevertheless, interesting figures of the Pacific frontier, contributing humbly their share to the complex structure of a sovereign commonwealth upon the foundation of a wilderness.

For instance, in addition to those previously presented, there is one Irishman who built the first telegraph line in California, if not on the Pacific Coast, another who owned and operated the first ferry boats between Oakland and San Francisco on the Bay of San Francisco; still another, now almost unknown beyond the confines of the Santa Clara Valley, who gave to posterity the O'Connor Sanitarium at San Jose, and one more whose genius in the field of finance and commerce left a monument to his name in the Phelan Building in San Francisco.

The History of Santa Clara County says of the Honorable M. P. O'Connor, that he occupied a position of prominence among the most influential citizens of San Jose, and he took an active interest in developing and advancing the city's highest interests. He was born in Ireland in 1823, and at fifteen, with his parents, arrived in New York. In 1840 he went to St. Louis, where he graduated from the University of St. Louis. He crossed the plains in 1849 to California. Locating in Nevada County, O'Connor engaged in mining and practised law. In a Republican county, although a Democrat, he was elected to the State Assembly for the term of 1859-1860. Returning to his home, he resumed his law practice while conducting mining operations until 1869, when the people elected him State Senator; and that caused him to retire from the law and devote his entire energies to the mines, in which he prospered.

He married Mrs. Armanda Young in Grass Valley in 1862. Twelve years later with Mrs. O'Connor he traveled in Europe, and in their travels they collected many art treasures, which they gave to the Sisters of Notre Dame in Washington for Trinity College. The couple moved to San Jose in 1874, where they built a beautiful residence. In 1889 they erected the O'Connor Sanitarium, which they presented to the Daughters of Charity of St. Vincent de Paul. About the same time they made their new home beside the sanitarium, giving the first house to the Sisters of Notre Dame for an orphanage, known as the Notre Dame Institute. O'Connor endowed the chair of Canon Law in the Catholic University of America and contributed liberally to St. Patrick's Seminary at Menlo Park, and to the Young Men's Institute building in San Francisco.

The O'Connor Sanitarium is situated in a park of fifteen acres, the original tract granted by the donors. In 1920, the total number of patients treated in the hospital was two thousand, five hundred and seventy-seven. With the growth of the community the sanitarium has advanced in importance and popularity among leading physicians and the people of the Santa Clara Valley. The San Jose training school for nurses, an accredited school, was established there in 1898 (The History of Santa Clara County).

A gift to the Sisters of Notre Dame by M. P. O'Connor is the Art Gallery building in Trinity College, Washington, D. C. (The Catholic Encyclopedia, xv, 58).

Judge O'Connor was a member of the Society of California Pioneers. He died June 9, 1909, survived by his widow.

A man of different mold from the typical California pioneer was James Phelan, who regarded the mining excitement as a means to an end assuring him possibilities of large success in business. There is no record that he even visited the placers; on the contrary, the writers tell the same story—that he came to San Francisco with goods and money and at once began selling his wares. Bancroft (History of

California, vii, 169) says he was engaged in trade in Cincinnati when the gold fever induced him to transfer his stock and business to San Francisco, and there to establish himself with his brother, Michael Phelan in the firm of J. and M. Phelan.

Phelan was born in Ireland in 1821. His father emigrated to the United States with three sons and stayed in New York. At an early age young James found employment in business as a clerk and in that position acquired correct values of business. According to Alonzo Phelps' "Contemporary Biographies," Phelan accumulated sufficient money to enable him to enter business for himself, and his operations extended to cities of the South and Philadelphia; and when news of the discovery of gold in California reached him he disposed of his business and with a cargo of goods he set out for California, reaching San Francisco Bay August 18, 1849. With a capital of $40,000 and his stock he immediately entered active business. With his brother he established the wholesale liquor house of J. and M. Phelan, which did an extensive business.

Barry and Patten (Men and Memories) describe the Phelan store as a stockade of rough timbers, enclosing, however, only choicest brands of liquors, which, naturally, met with hearty approval outside and complete success inside.

For twenty years the business partnership continued and then Phelan withdrew to engage in real estate enterprises and banking. He invested in real estate in San Francisco, which he believed had great prospective value, and not being content with profits from his own capital, he borrowed large sums of money for investment, which returned correspondingly large profits. He was a founder of the First National Gold Bank of San Francisco and its president for a time, and he also acted as director of the National Bank of San Jose. In his later years he erected large buildings in the center of San Francisco, most conspicuous of which was the Phelan Building, destroyed in the fire of 1906, and rebuilt by his son, Senator James D. Phelan.

"By all who knew him, he was acknowledged as one of the most enterprising of our California pioneers, and as one to whom the

State was indebted for much of its early prosperity" (Bancroft. History of California, vii, 169).

To Colonel Thomas Gray belongs the distinction of establishing the first ferry between Oakland and San Francisco—the forerunner of the fleets of ferry boats that gave to the Bay color, and a picturesque quality, now missed in presence of the bridges. It may be pardonable here to note that John Read—Don Juan of Marin County, the Dublin sailor—established and operated the first ferry across the Golden Gate in the Bay between San Francisco and Sausalito.

Because of an apparent conflict in the history of the Oakland ferry system, it can be stated, without hesitation, after careful analysis, that the account in the biographical sketch of Colonel Gray in a publication of the American-Irish Historical Society is the only true and correct record of the subject.

A boy of sixteen, Gray arrived from Ireland with his family at Baltimore, whither he moved to Illinois. He served in the Black Hawk War, where he knew Lincoln, then a soldier like himself—a volunteer. After being mustered out, he went to St. Louis, where he was employed on the river until 1850 when the prevailing exodus carried him to California. Reaching San Francisco, he met a member of a well-known St. Louis family, James K. Blair, at whose suggestion he went to Sacramento and bought the General Sutter, a small steamer which had plied on the river until November, 1851, when he removed to Oakland and started the first regular ferry to San Francisco. The little steamboat soon failed to meet demands for accommodation, and Colonel Gray bought the Kangaroo, which carried passengers across the Bay at $1.00 a trip.

Oakland organized in 1852, and one of its first queer acts was to grant to Horace Carpentier the entire waterfront for a schoolhouse costing $400.00. Edson Adams became interested and demanded a license from Gray to operate the ferry. Legislation ensued, which impoverished Gray, who was forced to retire. He engaged in business in San Francisco and served in the legislature in 1856. He was the author of the California Homestead law, a beneficient act assuring to the home-owner security from execution on his home.

In 1860 he went to Washington for appointment as collector of the port of San Francisco and while there he volunteered for the Union army. He was assigned to duty as captain of commissary. He saw his son, Lieutenant Gray, die in service. He retired with the rank of colonel and on coming back to San Francisco, he was appointed naval officer of the port. He made his last home in Santa Clara, where he died in 1892, aged eighty-nine years (American-Irish Historical Society publication, New York).

For many years the Peralta family were lords and master of a vast Spanish grant, of which Oakland, Alameda and Berkeley, with surrounding east-bay towns are but a part. Three enterprising gentlemen, Edson Adams, H. W. Carpentier and A. J. Moon, in 1850, squatted on the grant. Two years later, Carpentier had conveyed to him by deed from the town council the entire waterfront for the four-hundred dollar school building. His associate, Adams, thereupon demanded a license from Gray. The Court of Sessions was friendly, and gave Carpentier and Moon a license in 1851 to run a ferry—an idle act beyond the jurisdiction of the court. "And in that year," states the "History of Alameda County," "regular communication was established. In 1850 the Kangaroo was put on the route, but made only two trips a week, her point of departure being San Antonio, now West Oakland. A small steamer, name not remembered, ran from Oakland in 1851, while in 1852 the Boston and Caleb Cope, Thomas Gray master, began to ply."

H. W. Carpentier was elected mayor of Oakland, and on retiring from office he, with E. R. Carpentier, secured a license from the city board of trustees to operate exclusively ferries on the bay. Litigation carried the contest to the United States Supreme Court and the grant was held invalid. And meanwhile Gray ran his ferries only to be driven off the water.

When the San Francisco ayuntamiento in 1849 was organized, Malachi Fallon was appointed chief of police, the first to hold that office in the new municipality. He was given a force of thirty men, later increased to fifty. To facilitate the course of justice, the governor appointed William B. Almond judge of the first instance, criminal cases remaining with the first alcalde. Almond had a habit of adjourning court to go out for a drink. Having practically no jail facilities the ayuntamiento bought the brig, Euphemia, in October, 1849. The brig was soon over-crowded and the prisoners were put to work on the streets in chain gangs (Eldredge. The Beginnings of San Francisco).

Fallon with fifty men evidently did his duty as chief of police. He filled the position creditably and made a record as a fearless and conscientious officer (The San Francisco Examiner, May 25, 1899). This date was the day after his death in Oakland. The Examiner in an extended obituary described him as a pioneer politician, capitalist and one of the best known among the early settlers. A native of Ireland, he was eighty-five years of age when he passed away. Quitting the city office, he entered business and amassed a fortune. In 1852 he moved to Oakland and invested heavily in real property in the west end of that city, where Fallon Street was named for him. Well known there, he represented his district for two terms in the Board of Supervisors. He never married. He was survived by two nieces and a nephew.

Shipping was so large an interest in San Francisco in 1849, an enterprising firm, Sweeney and Baugh, proprietors of what was known as the Merchants' Exchange, erected on the summit of Telegraph Hill, for the purpose of signalling the approach of ships, a station of observation which could be seen from every part of the city, and from which an unobstructed view of the channel entrance through the Golden Gate could always be obtained except on dark nights or in fog. . . . After the erection of the station a second one was built on Point Lobos from which the ocean could be scanned as far as Point Reyes on the north and Point San Pedro on the south (Hittell. History of California).

While the telegraph line construction was credited to the firm of Sweeney and Baugh, still George F. Sweeney financed it at his own expense, he having the necessary capital to build about seven miles of wire and set up a look-out at Point Lobos. He was a brother of

Miles D. Sweeney, one of the early capitalists of San Francisco, and for years president of the Hibernia Bank.

Bancroft notes communication with California was further accelerated by the construction of telegraph lines, the first to be completed in September, 1853, extending from the business quarter of San Francisco to the entrance of the bay for signalling vessels.

Among the highly distinguished professional men of early San Francisco was Dr. Hugh M. Toland, whose father, an Irish emigrant, settled in South Carolina and became prominent as a plantation owner and banker. Dr. Toland was born in South Carolina in 1809 and came to California in 1852, endowed with natural gifts and a finished education in some of the best local schools of his day. The doctor had but a brief experience in the mines before engaging in the practice of medicine and surgery in San Francisco, in which he enjoyed extraordinary success. In 1862, as a result of dissension in schools of medicine among foremost medical men, he built and equipped the Toland Medical College. In 1873 he presented the building and its equipment to the University of California. Dr. Toland devoted himself passionately to his profession to the exclusion of other interests except investments and a conspicuous part in organizing medical schools. He gave little time to social contacts. Beneath his reticent front, which but few men could penetrate, there was slight evidence of his national origin, although it was known to many that while he came from the South, yet he was of the Irish.

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